MANAGEMENT OF THE SAN GABRIEL SUPERFUND SITES

HEARING

BEFORE THE

SUBCOMMITTEE ON ENVIRONMENT AND LABOR

OF THE

COMMITTEE ON SMALL BUSINESS
HOUSE OF REPRESENTATIVES

ONE HUNDRED FIRST CONGRESS

FIRST SESSION

BALDWIN PARK, CA, JUNE 5, 1989

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MANAGEMENT OF THE SAN GABRIEL SUPERFUND SITES

MONDAY, JUNE 5, 1989

HOUSE OF REPRESENTATIVES,
SUBCOMMITTEE ON ENVIRONMENT AND LABOR,
COMMITTEE ON SMALL BUSINESS,
Baldwin Park, CA.

The subcommittee met at 9 a.m., at the City Hall Council Chambers, 14403 East Pacific Avenue, Baldwin Park, CA, Hon. Esteban E. Torres (chairman of the subcommittee) presiding.

Chairman TORRES. Can I have your attention. I know that there are people still coming in. If we can ask them to file in as quickly as possible so we can begin our congressional hearing. Before I do so, though, I would like to take this opportunity to thank the city of Baldwin Park for allowing us to use their facilities, this magnificent building. We wish perhaps, that it was a larger auditorium to accommodate the many people that are here today, showing interest in this important issue.

Having said that, I would now like to turn the microphone over to the elected leader of the city council, mayor of the city of Baldwin Park, Mr. Leo King. Mr. King.

TESTIMONY OF LEO KING, MAYOR, CITY OF BALDWIN PARK, CA

Mr. KING. Thank you, Congressman Torres, I wish to thank you and your committee for studying what we feel is a tremendous problem in the San Gabriel Valley and in fact the Nation as a whole. But first let me introduce one of our council members here. Buddy, I know you're here some place, where are you? There she is. Is any other council person here? Seeing none, I would like also to welcome all of you, those of you out of town and those of you from our fair city of Baldwin Park. We have a lot at stake here and I am certain all of you are as interested as our Congressman with respect to what he is doing. If not, or as the bond and committees such as this to deal into this kind of subject matter that effects us all, I think we would have a pretty sorry State and Nation as a whole.

I have something I would like very briefly to discuss if I might.

Chairman TORRES. Without objection, Mr. Mayor, you may proceed.

Mr. KING. I did not know until this morning that Esteban is also a coauthor of H.R. 2323, the local Lewis bill and that is also a Federal bill and it has to do with cleaning up our air and toxics, et cetera. I presented this to the League of California Cities last

Thursday evening. I am hoping that all the cities in the Los Angeles County area as well as other areas will submit resolutions as our city will, to the Governor for their approval of this. I am hoping that we will get bipartisan support. What it is, it is the Grussie Federal Control Program for Motor Vehicle and other sources under Federal jurisdiction.

So this just augments what is being done. Many of you may disagree with the air quality management plan and the air quality management district budget that I am a part of. We approved an $80 million budget just the other day. It seems like an excessive figure, but when you talk about lives, you know, what is too much? We are trying to clean the air. Congressman Torres and his committee are doing just also. They are going to find out what has happened or what has not happened, and hopefully we can start moving ahead with respect to cleaning up the toxics not only the air quality but the percolation into our underground basins. I thank you, Congressman Torres.

Chairman TORRES. Thank you, mayor, very much for your statement and your comments. Once again, I want to thank you for allowing us to use your facilities and we are certainly in an appropriate city to deal with this issue. Joining with us now is Mr. Ernie Gutierrez who is a councilman from the city of El Monte, who will have a comment to make later on. In the meantime, I would like to officially begin the proceedings here with your kind attention. I see the room is packed with a lot of people who obviously have a great interest in this and we only ask that you maintain decorum through this hearing so we can get through as quickly as possible today.

We also have joining with us, one of my other colleagues from the House of Representatives. A gentleman who to many of you is no stranger. He comes from one of my neighboring districts, in the area of San Bernardino, Congressman George Brown. Congressman Brown, as you know, is a former mayor of the city of Monterey Park. He has extensive knowledge on this issue. He represents a district where they long experienced a serious problem like the one we are discussing here today, the Glen Avon site, more commonly called Stringfellow. He certainly brings a wealth of experience to this hearing. Thank you, Mr. Brown for joining with us this morning.

I would like to thank all of you for being here. I want to thank, as Mayor King said, the people coming from out of town and those of you coming to this hearing. You know, groundwater is an essential natural resource. Half of the population of the United States, nearly 117 million people rely on groundwater for their drinking needs. In California, 18 million people, approximately 69 percent of the population rely on groundwater for their drinking needs.

Additionally, about 40 percent of California's agricultural needs are met by groundwater. We are here today because we are allowing our groundwater to be destroyed, I repeat, destroyed. Every aspect of our lives has a potential of being adversely effected by the deterioration of our water quality. As you can see by these charts up here—I wish they were larger, but as you can see by these charts, water—groundwater can be contaminated from almost every human activity you can think of. Sometimes it simply hap-

pens because someone is careless and disposes of materials improperly. They might just pour their crank case oil or their used oil down a storm drain or out in the backyard.

Sometimes a business stores a chemical in a storage tank, or in an underground storage tank. They do not know that it is leaking. A farmer may apply pesticides to his crop and that also permeates into the ground. Or a homeowner, any of you unthinkingly will put a half empty can of paint in your trash and it goes off to the landfill. The experts have told us that eventually all landfills leak Of the 951 sites on the Superfund national priority list over 70 percent have associated groundwater contamination. We are not looking at a simple problem with a simple straight-forward solution. What we have here is a growing national problem, one that effects every community across this country, not just Baldwin Park or La Puente or the surrounding San Gabriel Valley.

American small businesses are a segment of society least able to absorb the increased costs associated with the deteriorating quality of our water. As you know, small businesses often operate on a very small margin. Like all Americans, they rely on local, State and Federal agencies to protect their interests. They require clean, available water at reasonable prices. The San Gabriel Groundwater Basin is the largest known—it the largest known groundwater contamination problem in the Western United States. The California Department of Health Services in a recent report listed the contamination problem in the valley as almost twice as serious as any other contamination problem. More than 60 wells have been closed down because they exceed the State health based standards for contaminants in drinking water.

In one case, ladies and gentlemen, the contaminant was more than 360 times the legally allowable level. Wells are often shut down by the water companies themselves before they reached the maximum contamination that is allowed. Why did they do that? The water companies do not want to go through the process of public notification. They do not want to trigger the regulatory response that will ensue. So, they just shut down the bad well, simply that. Then they dig a deeper well or bled the water into the contaminated well with another water source. In any case it is the customer who shoulders the additional expense.

Groundwater contamination in the San Gabriel Valley was discovered in 1979 and it has been listed as a Superfund site since 1984. However, neither the Environmental Protection Agency nor the water board has been able to find the sources of the pollution. In spite of having spent at least—and these are official figures—$8.5 million dollars of Superfund money, not one drop of water has been cleaned up and no funds have been recovered.

The quality of water effects the livelihoods of small businesses located across the entire San Gabriel Valley. They pay a higher premium for their water and they have been subject to investigations as potential sources of contamination by a number of different Government agencies. Today, I would like EPA to answer the questions that residences and business owners keep asking. What exactly is EPA's plan? Do they have an overall strategy? How much is it going to cost to clean up this pollution? Are we going to be able to

really determine who is really responsible and make them pay for the cleanup?

We are here today, ladies and gentlemen, to get some answers. Today, we will try to shed some light on the groundwater problem in San Gabriel Valley. This is the purpose of this hearing. I would like to now yield time to my colleague, the gentleman from the San Bernardino area, Congressman George Brown. Mr. Brown.

Mr. BROWN. Thank you very much, Ed. I appreciate the chance to be here. I have not been as fully informed as to the groundwater problems developing here as I should have been, mainly because I have been obsessed with the groundwater problems we have out in San Bernardino and Riverside County. We have them there. As Congressman Torres said, it is a national problem. We have the stink pile pits which have been in the news a great deal lately. There has been at least $10 million spent on studying that problem, again with no action yet to clean it up on a permanent basis.

We have a problem at the Norton Air Force Base which is being closed out, which the Air Force currently estimates it will take at least $50 million to clean it up and it will probably go several times higher than that. The fact is we need to understand what is going on here nationally and what is the best way that we can fix it. As an area, as Congressman Torres said, effecting more people than any other site in the Western United States, this should have the highest priority because it is people we are concerned about.

Now, the courts have just ruled within the last week or so that the problem over at Stringfellow was at the minimum contributed to if not caused by action of the State of California. I hate to have this said that the Government has been stupid in some of the things that it has done over the past, but unfortunately, that is true. That may also be true here. I do not know. One must always be fair in trying to determine where the fault lies on some of these things. But, it almost always ends up costing the taxpayers one way or another to correct it. Of course, the lesson to be learned here, is do not make the mistake in the first place.

If we can learn how to keep from making future mistakes that have been made here, we will have made a great deal of progress and I think this hearing will contribute to that progress. Thank you.

Chairman TORRES. Thank you, Congressman Brown, for a very informed opening statement. I would like to now turn the microphone over to our neighboring city councilman, Councilman Ernie Gutierrez from the city El Monte. Councilman.

TESTIMONY OF ERNEST GUTIERREZ, COUNCILMAN, CITY OF EL MONTE, CA

Mr. GUTIERREZ. Thank you. I wish to thank Congressman Torres and members of the subcommittee for the concern they are showing for the welfare of our community. I think that your investigations and the hearing you are conducting here is indeed, an important opportunity to focus some attention on a serious public and health and environmental problem, namely the safety of our groundwater. I know that other members of the El Monte City

Council and our committee share concerns and a sense of urgency about this problem.

The identification of the sources of groundwater contamination is crucial in solving the problem of the groundwater contamination. To the extent we do not know or are not certain of where the sources of groundwater contamination may be found, such uncertainty creates problems for many of the small businesses and small manufacturers which make our community economically viable. But such uncertainty also creates anxiety for many residents that pump their water from various wells to live on. The problem with a prompt, fair, and cost effective investigation of the source of contamination can be made more difficult by certain types of new development. In view of the diverse and rapid development which our community is experiencing, one type of such new development deserves special, and I'll emphasize that special, active immediate attention.

This new development is in that area of Lag Bolt, back to the San Gabriel River, to the north of Baldwin Park and El Monte where several warmer rock quarry sites are currently being studied for land fill development. That goes along with our former rock quarries near the San Gabriel River pose obvious potential hazards to groundwater safety. Some landfill developments like the one being planned on lower south side in Arcadia are called inner landfills. So-called inner landfills are exempt from many regulations which govern other solid waste disposal programs.

It is my view that some of these exemptions from inner landfills for thorough review by regional water quality control boards and solid waste management board in effect contribute to an inadequate level of investigation as historical sources of contamination of groundwater. I think in the recent experience of the El Monte City and the questions and concerns which my city has raised about the just one such landfill development proposal shines its searchlight in an area shrouded in the darkness of regulatory confusion where we are lacking in enforcement responsibilities which seems at times to me, to no responsibility at all and the lack of resources to do the necessary investigations.

It is a big problem. I hope there is time today to hear from the experts and others who this committee has asked to attend regarding the quality. First, do they believe an adequate program exists today to identify certain potential contamination sources in the areas proposed for landfill development in the San Gabriel Valley? Second, do they think that so-called inner landfill development proposals in an area, especially sensitive as ours, currently receives adequate attention and scrutiny by responsible agencies? Third, what can local agencies such as our city do as part of the land use planning and approval process in an effort to assist in identifying sources of groundwater contamination?

In coming down here, our city attorney, Dave Gandy and I were talking to a number of people over breakfast. There were people volunteering information to us readily because they asked us where we were going and I said, we are going to congressional hearings this morning. I believe something as critical as this we must begin to discover who are the people that are still contaminating our groundwater table and I think that the Federal Govern-

ment, State, and all of us have a responsibility now to start pointing the finger at those companies, those individuals, those persons that are still today contaminating our sources of water. Just like we're doing right now with the defense contracts, they are giving money to those people that are pointing the finger at those people that are ripping our Federal Government on those contracts. That is something that I think is very, very important.

The last thing I would like to say is that I think that the Federal Government should begin to look at how they reward a city, a county, a State, for taking measures that will prevent the contamination of water, how they reward those cities, those counties, those States? Last, I want to thank the Congressman for having invited us here today. Thank you very much.

Chairman TORRES. Thank you, Councilman Gutierrez. Another speaker that would have been here today was Assemblywoman Sally Tanner. Unfortunately, she cannot be with us due to legislative business in Sacramento. However, she has submitted a statement for the record. We will insert that into the record as part of the official hearing. As you know, Mrs. Tanner is the coauthor of the California Superfund and was successful in having the San Gabriel Valley site placed on both the State and the Federal Superfund list in 1983. She has been in the forefront of efforts to deal with the massive clean-up and treatment of contaminated water in the San Gabriel Valley.

Recently, I attended a California Contract Cities Association seminar. I just wanted to pass along to you the seed of an idea that germinated at the seminar. I want to invite Mrs. Tanner to join the committee in the development of an intergovernmental partnership for the management of our State's groundwater resources. This would be a partnership between cities, counties, States, and the Federal Government to map out a strategy for the preservation of our groundwater resources. What I would propose is a groundwater summit between policy makers, the objective of which would be to establish a mechanism to influence policy making at the highest level. So I know that working with leaders like Assemblywoman Tanner, with persons like Mayor King and Councilman Gutierrez at the local level and other leaders in State and Federal Government, I am confident that progress can be made—much progress can be made in protecting citizens and the environment.

[Ms. Tanner's statement may be found in the appendix.]

We have another item I would like to enter into the record. It is really a set of letters, letters that were submitted mind you, by 10- and 11-year-old children at Gettes Elementary School here in Baldwin Park. Mrs. Schmolfeld, a teacher, Brenda Schmolfeld, gave the class an assignment about contaminated drinking water. You should see the letters that these young 10- and 11-year-old children address themselves to. They are touching letters. They are letters that voice concern by young children who, already at that age, are beginning to see the sense, the tremendous dangers that contaminated water may add for their livelihood. I would like to, as chairman, take the prerogative of entering these letters into the official Congressional Record.

[The letters referred to above may be found in the appendix.]

Chairman TORRES. We have with us this morning a representative from the minority side of our subcommittee, the ranking Republican member, Mr. Hyler, was not able to be with us today, but he is ably represented by Ted Smoots. Ted Smoots is over here on my left.

Fran McPoland is the senior environmental staff person on my staff and also with us is the staff director of the Subcommittee on Environment and Labor from the Small Business Committee, Mr. Jorge Haynes over here. I want to thank the staff for having prepared all of the logistics that are so important for bringing this kind of hearing to the public and being able to proceed expeditiously. At this point, I would like to call forth the first panel of witnesses that would like to address this subcommittee and then in so doing, I would like to invite to the table up here in the front the East Valley Organization, represented by the Reverend Monsignor Peter Nugent, Carol Montano, and John Korey. I appreciate your presence this morning. You were asked for you testimony for the record. I will submit that. It is very important testimony. I would only ask that three of you combine, or one from you as a spokesperson try to summarize the items in your testimony and perhaps summarize it down to 5 or 6 minutes in that we have a time problem. May we proceed in that way?

Mr. KOREY. Yes.

Chairman TORRES. Who is first? Mr. Korey.

TESTIMONY OF JOHN KOREY, CHAIRMAN, TOXICS TASK FORCE, EAST VALLEYS ORGANIZATION

Mr. KOREY. Thank you. My name is John Korey. With me this morning representing the East Valleys Organization [EVO] are Ms. Carol Montano and Monsignor Peter Nugent. EVO has been active in the fight against crime in the San Gabriel Valley. Congressman Torres, last February 16, EVO was proud to stand together with you at the Federal Ordinance Co. in south El Monte as we joined in a successful effort against assault rifles.

Today, we focus on another sort of crime, the despoiling of our environment. Solvent contamination of groundwater was first discovered in the San Gabriel Valley in late 1979. Almost a decade later, the valley has the dubious distinction of having by far the worst groundwater in the State. This is according to the recent study by the Water Resources Control Board that you have already cited. In fact, we have had a lot of studies. We have not had—we have not had substantial action. The EPA is funding two small-scale cleanup projects and a third at Whittier Narrows that is not even designed to cleanup our water, but only to prevent its spread southward into the main basin.

Even more frustrating is that almost a decade after the problem was first discovered, the EPA has yet to name the parties responsible for contaminating our water. Under existing law, these polluters can be made to help pay for the necessary cleanup costs but first they have to be identified. EVO is not going to be satisfied with public relations campaigns or with token cleanup efforts. Congressman Torres, today we call on you and this subcommittee to join with us to insist that William Riley, EPA's administrator, send

a cleanup bill to the polluters. We call on you to work with us to cut through the red tape to bring Mr. Riley out here to meet with you, to meet with EVO, to meet with the people of the San Gabriel Valley to fill in the blanks on this cleanup bill, naming names and specifying amounts due.

[Combined statement of Mr. Korey, Ms. Montano, and Msgr. Nugent may be found in the appendix.]

TESTIMONY OF CAROL MONTANO, EVO TOXICS TASK FORCE

Ms. MONTANO. Congressman Torres, as a member of the EVO Toxic Task Force and a life-long resident of the San Gabriel Valley, I am outraged by the contamination of our daily drinking water and by the mismanagement in the last 10 years. EVO knows of the $8.5 million, taxpayers' dollars spent and we also know of the studies after studies compiled. It is truly a national disgrace. When the water wells in my home were closed 10 years ago, I was alarmed. Imagine how the residents of the city of El Monte felt when they received this letter from the Richmond Water Co. notifying them quarterly, that they were drinking water which exceeded safe levels of PCE.

The notice informed residents that they should not drink the water because of the contamination and advised them to buy bottled water. We will not be forced to live with bottled water. It is a national outrage, or to boil their water out of doors. Drinking bottled water is not an acceptable solution. This is not the answer. We will not live this way. Is the San Gabriel Valley going to be reduced to the status of a third world nation with unpotable water? This situation is of great magnitude, just like the *Exxon Valdez* disaster in Alaska, only this is in greater proportion.

You cannot see it. You cannot smell the contamination. But it is here. This disaster directly effects human lives, I repeat, human lives. Are we to become the next Love Canal, the next Stringfellow? EVO wants the names and faces of these toxic criminals identified. They can no longer remain anonymous. EVO will not be apathetic. As quoted from William Ashward:

> Apathy can lead to worse than inaction, action that because it was designed by experts carried out by technicians and overseen by nobody often hopelessly complicates a situation it was meant to resolve.

EVO will work with those small business persons who are as deeply concerned with the contamination as it will effect our lives in the future.

Developers, real estate businesses, home owners, those who are as concerned with the value of their properties, are potential allies in our quest for uncontaminated drinking water. Congressman Torres, we call upon you to cut through the bureaucratic bungling as you did during the BKK fiasco. We would like to work with you. We would like to help you. We would like William Riley to meet with thousands of people of the San Gabriel Valley. We want William Riley here. Thank you.

TESTIMONY OF MSGR. PETER NUGENT, PASTOR, ST. JOHN BAPTIST CHURCH, BALDWIN PARK, CA

Msgr. NUGENT. Congressman Torres, Congressman Brown, I am the pastor of Saint John the Baptist Catholic Church here in Bald-

win Park. I am here with a number of our parishioners and some of our school students as well. We are a church-based organization in EVO. We are the people that live here. We want our children to grow up with a sense of well being. We want them to live in communities that they are proud of, communities that they will not want to move away from when they grow up. Stability is good for our community.

You, yourself have referred to reports about the extent of the contamination of our groundwater here. We have police agencies and other public agencies that are helping to protect us against neighborhood crime, to protect our environment here. As far as our Federal agencies go, with our groundwater and environment, we feel that we are on the forgotten list. We see the growing problem of pollution that is even leaking now into our homes. So, we are voicing our insistence that the EPA, William Riley, respond to our needs and improve the state of our environment. We will not be ignored any longer.

Congressman Torres, we look to you as a leader. We are not very familiar with the ways of Washington with all the bureaucracy. Before you give us any questions, we have a question for you. Are you willing, within 2 weeks after you get back to Washington, not to send a memo typed by your secretary to William Riley, but look at him face to face and insist that he come out here to meet with us during this calendar year with regard to our environment and the EPA cleaning it up? Are you willing?

Chairman TORRES. My response to that monsignor would be that I will also carry your message to Mr. Riley. I understand you are having a national assembly here in—what is it July 12?

Rev. MSGR. NUGENT. July 16.

Chairman TORRES. I have scheduled myself to be at your assembly. I hope to participate. I have sent a letter to Mr. Riley inviting him on your behalf to be at that. If for whatever reasons, Mr. Riley cannot be there, we cannot—I cannot answer for him, I would urge Mr. Riley to certainly have a representative. If Mr. Riley does not come to your assembly, I will take it upon myself to schedule Mr. Riley for a meeting here in the valley with your organization to sit down in my office, your office, anywhere in the community but I can assure you Mr. Riley will respond. Thank you. I thank the three of you for coming this morning. I have followed your organization's work closely and you do commendable work in the community and I think it is a credit to the way that you work and an honor for our subcommittee to listen to you and we hope to continue to stay in touch with you. Thank you very much for being here today.

Mr. BROWN. May I just ask a question?

Chairman TORRES. Yes, sir.

Mr. BROWN. Congressman Torres had earlier indicated the need possibly to form a partnership amongst the public organizations involved here. I feel that it may be necessary to do the same thing for the citizens' organizations to form partnerships to strengthen their position. There is a very strong such organization out in my own district. My question to you is, are you in touch with other citizens' groups that are involved in similar crusades to clean up

the water supply for their community so that you learn from each other as to what is effective and what is not.

Mr. KOREY. Congressman Brown, we have met with Penny Newman who is working with the Stringfellow site out in your district, and Carol you——

Ms. MONTANO. Yes; I participated to the League of Women Voters information programs that they scheduled regarding the water contamination in our area.

Mr. KOREY. So, the answer to your question is, yes.

Mr. BROWN. Yes; I think that is all. Thank you very much.

Chairman TORRES. Thank you, Mr. Brown. Along those lines, may I add that, ladies and gentlemen, are you aware of the TAG or Technical Assistance Grants that are available to community groups to work on the Superfund issue?

Ms. MONTANO. Yes; we are familiar with the TAG.

Chairman TORRES. Have you applied for it?

Ms. MONTANO. No; we have not. We will not. We are an independent organization and we intent to remain independent. We are not interested in participating in the TAG.

Mr. KOREY. Yes; as a matter or policy, EVO does not accept Government funds.

Chairman TORRES. Thank you again for being here with us this morning. We're always pleased, of course, as a subcommittee or any group that comes before a community to hear the important aspects of hearings like this to see the young people in the crowd. We saw a group here earlier from a local school, Saint John the Baptist, I believe. I think that's important. It keeps young people cognizant on this important issue. As we get ready for the next panel to take their seats. We can allow for the room to clear a little. Some of the EVO people are leaving. Some of the young people from the school are now filing out and I am sure that will make available a number of seats, I hope, for those of you that are standing in the back of the room.

Mr. Baca, it is a pleasure to have you here with us with all of your good work, and certainly people from the community such as yourself. Welcome this morning. I am sure Congressman Brown and the other individuals here will be interested in your testimony. Mr. Baca, if your microphone is working, you may proceed. Again, may I ask you in the interest of time to attempt to summarize your testimony. I have read it. We have it and it will be entered into the record in its entirety, but we would like you to summarize it, if at all possible.

TESTIMONY OF WILFRED R. BACA, HACIENDA HEIGHTS HOME IMPROVEMENT ASSOCIATION

Mr. BACA. Thank you, Mr. Torres. First of all, let me say that I am speaking on behalf of the Hacienda Heights Improvement Association, although I no longer sit on their board. I was a board member for 5 years, and I have been involved in environmental issues in the San Gabriel Valley for almost 10 years now. Virtually all of that time has dealt with air, land, and water problems beginning with landfill problems in the Puente Hills landfill.

It is sometimes quite perplexing to realize that as a professional, it takes inordinate amounts of times to deal with public agencies and bureaucracies that are charged with dealing with these problems. However, we have as much patience and as much persistence as they do. The Hacienda Heights Improvement Association has been in existence since 1948. We have been incorporated since 1955 and we have been dealing with these particular problems since 1980. We will be around and the people that have become active in that fight will also be around, because in the last several years, I and others have spawned several organizations that will help other groups become involved, the California Alliance and Defense of Residential Environments [CADRE] is an outgrowth of landfill problems and incinerator problems in the valley and it will address itself to the water problems now that we have—now that we can focus on it and we will move forward toward that problem.

The water contamination problem that we encountered in Hacienda Heights in 1985 came about primarily because half of our community is served exclusively by five wells in the La Puente area. That problem created havoc. It also sensitized the community by realizing that there were no easy quick solutions. I refer to, in my testimony, the fact that in Hacienda Heights, a large number of people have resorted to using bottled water and water treatment. Now, this may seem as a good solution to some people, but you have to recognize that based on, for example, the LA Times poll of last year, that solution is only available to people who have the economic power to do it.

The studies that were done then show that it is the higher economic standards of people that allow them to take those strategies and alternatives. So that on the contrary, the people who have lesser economic standards are the ones that suffer the most. The people that are on borderline subsistence wages cannot buy bottled water. They cannot take those kind of activities to solve their problems. So, there is, in a sense, a discrimination, an economic discrimination going on. This is why, I think it is so important that we continue to concentrate on solving the groundwater problem. We must not abandon hope that we can solve the contamination problem for this aquifer. It is too important to too many people and to the future of the San Gabriel Valley.

So we cannot wait for answers. We must move on with the problem. As I have said before, I have had plenty of experience in dealing with people who are supposed to be solving the problem, the alphabet soup of public agencies as I discussed in my testimony. They all have the power collectively, but it seems like none of them have the power singly to attack the problem and to exert the leadership that is required. So, I applaud your proposal to get a summit of these public agencies together and hopefully, we can stimulate those laggard agencies to form a position on the problem. If they are laggard, then they become the problem. I think we need to realize that we are serious about solving these problems and not wait for people to tell us that they have to have yet again do one more study or that they are tired of a certain contractor and they want to change contractors and maybe they will have a better strategy.

To date, I have yet to see any strategy from EPA or any of its contractors or subagencies that it is supposedly dealing with. I have on the table the last document that I have seen that was published by CH2M Hill. It is dated May 1986. That is 3 years ago. Now, and that was 6 years after the problem was discovered. As an engineer, I can tell you that within 1 year of the discovery of that problem, the solution was obvious. The direction of the problem was obvious. It was very clear that the contamination was coming from the Azusa area, the Azusa landfills, the chemicals processors, the recyclers, this is the historical contamination. We do not know who to pin it on exactly, but there is no question that it was coming from that source and it is very disconcerting to me to see public agencies now looking and focusing on 10,000 small businesses who they believe are currently contaminating our aquifer.

That may be so, and it may be very important to stop that contamination and to educate our public. But that is not going to help finding who the responsible parties are up in the Azusa area. That is not going to help find the billions of dollars that it is going to take to clean up this problem. Until we focus on where the problem really is for these four zones, then we are not going to move. We need to move. We need to start pumping out water and cleaning it up.

So that is my summary of the discussion that I have provided in writing.

[Mr. Baca's statement may be found in the appendix.]

Chairman TORRES. Thank you, Mr. Baca. Thank you very much. Mary Johnson?

TESTIMONY OF MARY JOHNSON, PROJECT MANAGER, SAN GABRIEL VALLEY SUPERFUND WORKING/INFORMATION GROUP, LEAGUE OF WOMEN VOTERS

Ms. JOHNSON. I am Mary Johnson with the League of Women Voters and the Superfund Working/Information Group [SWIG] a newly formed organization in the valley and I want to introduce Allison Fuller who is the natural resources director on the board of the California League of Woman Voters. She is also past president of the League of Women Voters, Southern California Regional Task Force which has as its charge concern for environmental issues over the area of the South Coast Air Basin roughly.

A little more about the League of Women Voters and the San Gabriel Valley Superfund/Working Information Group, we are pleased to have the opportunity to participate in this field hearing on the management of the San Gabriel Valley Superfund sites. The San Gabriel Superfund Working/Information Group referred to as SWIG was organized in January of this year by the League of Women Voters, Southern California Regional Task Force under a pass-through grant from the League of Women Voters Education Fund. The league had noted that no community working group existed in the San Gabriel Valley like the one assembled for the San Fernando site with the lead agency there, the Los Angeles Department of Water and Power.

The league contacted community organizations throughout the San Gabriel Basin, asking them to send delegates to an organiza-

tional meeting to plan a series of four public seminars on drinking water issues. The seminars received the support of 23 community groups and 13 agencies and elected officials of whom your field representative Lupe De La Cruz was one. A list of these participating organizations is appended for your information in what we have submitted. You will note that they include business, environmental, service, political, and homeowners groups. I want to emphasize that I am not speaking on behalf of any of these groups in my testimony today, except for the league.

Some of them may wish to submit their own written comments or give oral testimony as time permits. Also appended for your information are the agendas for the seminars. The topics are as follows; the present state of the San Gabriel Valley water supply was the first one. The second seminar was on remedies for contamination, treatment technologies, and strategies. The third was on health risks, Are Our Standards Too High? Fourth, the final one, was the bottom line, What Price Clean Water?

To save time, I will not read the names and titles of all the speakers but I do want to say that we enjoyed excellent cooperation from all agencies involved in this Superfund project, namely EPA Region 9, the State Department of Health Services, assembly member Sally Tanner's field office, the Regional Water Quality Control Board, the Upper San Gabriel Valley Municipal Water District and the Water Purveyors Association, plus others not directly involved such as the Metropolitan Water District of Southern California, Los Angeles Department of Water and Power, the Pasadena Water and Power Department, and the Los Angeles County Sanitation Districts.

The support of the press has also been notable. Attendance at the seminars has averaged 50 to 60 people. Judging from evaluation forms and discussion in the SWIG's steering committee, most participants felt awed by the complexity and size of the problems in this valuable water basin. Few felt ready to come forth with recommendations for specific actions and strategies. The feeling was that there are still many more questions than answers. Perhaps there will be more revelations at this hearing today. Certainly, informed and intelligent decisions on the allocation of limited resources is of paramount importance.

Speaking now for the league only, I can say that we want to see much more participation both by the public and by local government, both in the planning process and in the source investigation. City halls and long-time residents may have information on historical land uses that could contribute to the identification of potential responsible parties. Perhaps all working together, we may find a way for the communities involved, the 46 water purveyors included, to identify past sources and arrest current and future contamination so as to protect and make the best use of our precious water supplies.

In closing, I would like to invite all interested people, San Gabriel Valley residents, to an organizational meeting for the future of the SWIG, that is the working group, as an ongoing vehicle for public participation and information. It is scheduled for Wednesday, the next meeting, June 14 at 7:30 p.m., at the El Monte Community Center, 3130 Tyler Avenue, that's again Wednesday, June

14, 7:30 p.m. at the El Monte Community Center, 3130 Tyler Avenue. Thank you very much.

[Ms. Johnson's statement may be found in the appendix.]

Chairman TORRES. Thank you, Mary Johnson. We are well aware of the excellent work that SWIG is doing. I know that you had a very successful meeting and our own district manager Mr. Lupe DeLaCruz was there and he had a fine report. We would encourage everyone to attend these important community functions. Ms. Fuller, would you want to make a statement at this time?

Ms. FULLER. No; thank you, Mr. Torres, but we do—I do want to say how much the League appreciates your coming out here and it is an unexpected pleasure also to see Mr. George Brown whom I consider my personal representative. It is—we are just very pleased to be part of this. Thank you.

Chairman TORRES. Thank you very much. Mayor Leo King of Baldwin Park informs us that he is going to leave us. But we certainly appreciate his coming here this morning. Once again I want to thank him publicly, for providing this fine facility for us to hold this community field hearing, congressional field hearing on this very important subject. Thank you again, Mayor King.

Mr. KING. I would like to say this, if not for you, we probably would not be cutting the ribbon at our Hilton Hotel in approximately 1 hour. Those of you that are finished with the hearing and wish to help us participate in that ribbon cutting, we would be most happy to have you there. It has been a long and tedious process but Esteban has given us a great deal of help and now he is helping us clean up this groundwater. As a member of the Air Quality Management—South Coast Air Quality Management District Board of Directors, I also am working very diligently to help clean up the air which filters down—the contaminants there into our groundwater and permeates there. So, we all have a stake in this. The city of Baldwin Park is behind all of these efforts 100 percent.

So we applaud what the committee is doing and I hope to return, if I can, to finish the business over at the other end. But Esteban, if you can be there to take pictures with us I would be most grateful.

Chairman TORRES. Thank you. At this time, I would like to yield my time to my colleague, Mr. Brown, for any questions of our witnesses. Mr. Brown.

Mr. BROWN. Thank you very much, Mr. Torres. I was impressed, Mr. Baca, with the comprehensive statement. Obviously, there was a good deal of time and effort spent in looking at a problem of this sort. You indicated in your statement that you felt that a primary source of contamination in this area had to be traced to Azusa and some of the activities of the landfill and developments in that area. Can you elaborate on that just a little bit? Is that likely to be a controversial statement?

Mr. BACA. I do not know if it is controversial or not. I think it is plainly obvious by looking at the groundwater contamination maps that have been developed from the test results on the water wells.

Mr. BROWN. These maps are based on test drillings to locate both the direction and the extent of the plume. Is that correct?

Mr. BACA. I do not know the maps that we have seen so far are based on test drillings. They are based on actual water wells. The

test drillings are another sore subject for me because I have, for the last 3 years, quizzed EPA as to when they are going to begin actually drilling test wells with the intent of gathering evidence on potential contaminating sources. To date, I know of no wells that have been drilled anywhere in the area of the four plumes. Some people like to use the old joke, it does not take a rocket scientist to find out what a problem is when you see a spill. I happen to have been a rocket scientist of terms, because I worked in the aerospace industry in the early 1960's, but it does not take a lot of intelligence to see the groundwater contamination plumes especially when they show increasing contamination focused within a stone's throw of the Azusa landfill, for example. I do not mean to focus specifically on the landfill, because there are major sources, potential sources, chemical plants, recycling facilities, that have dealt historically, with massive amounts of PCE and TCE.

I will give you an example. I did a very quick calculation based on the area of the plume and the contamination, the number of parts per billion. I have calculated that it is likely that there is in excess of a 100,000 gallons of PCE in the groundwater, maybe as high as 500,000. That does not come from your neighborhood garage dealer who may have spilled a quart of PCE that he used to clean out carburetors. That comes from large, large users or large historical disposers, potentially in the landfill, maybe a large leaking tank in an industrial chemical process. But it is quite obvious that the contamination source is there and it is focused, it is not diffused.

For example, area 4 which is down in my part of town, the industrial area, now seems to have been caused by the BDP Corp., a division of Carrier Corp., and they have admitted to have spilled out of their tanks somewhere between 15,000 to 20,000 gallons of PCE. If you look at the size of that contaminated plume, and compare it to the plume that is in the Azusa area, it is almost—the 50 part per billion plume area is almost the same size which would indicate ten times as much contamination as exists in industry.

So, if you just simply multiply the 20,000 gallons by 10, you are going to have 200,000. But that does not account for the fact that the plume has spread all the way down to Baldwin Park and into the El Monte area. So, we are talking about massive amounts of contamination, not 10,000 small business people who could potentially be tagged as a source for some contamination.

Mr. BROWN. I raise this point because we had a similar experience with the Norton Air Force Base where they have about a dozen sites that are contaminated and impacted the town. For some reason or other the Air Force is very reluctant to place test wells to determine the extent of the contamination off the base, downstream which, incidentally is where Riverside gets its water supply. They also did not want to put these test wells down and they did not want to put them down into the lower aquifers. There are three aquifers out there, three different levels and it is the lower ones that the drinking water comes from. Apparently, you have similar situations around here, where you need to go deeper and get uncontaminated water.

Mr. BACA. That is true, but we do not know for how long that situation will prevail.

Mr. BROWN. That is exactly what they did not know out there and they were refusing to get that information by putting in the test wells. We forced them to agree to do that through a similar public hearing kind of a process out in San Bernardino just a few months ago and we think that those test wells will be in and delivering results in the next few weeks. That is the first step you have to take.

Mr. BACA. Yes; by the way the technology does exist to drill wells to differentiate between minute lenses in different areas and it has been used I believe in the Santa Ana Basin and it is being tested in the Bartolo Wells right now. But my point is that it should be used to gather evidence, to build test wells, to gather that evidence, to differentiate for example, in the Azusa area, whether or not it is coming from the landfill or whether it is coming from an adjacent user or someone upstream. That information can be gathered. They are expensive wells, but we must go after the people who have the economic where with all to pay for this and it must come from those people who have contaminated the soil.

The frustrating thing about it to me when I explain it to my homeowner representatives, is they tell me:

> You know, if I am stopped driving under the influence of alcohol in California, I am told I must submit to a blood test and if I do not, I lose my rights. I do not get the chance and I cannot understand why a toxic polluter or a large corporation who potentially can cause much more havoc is not required to say, if we think your property is the source of contamination, we are going in there and we are going to test the wells because the water is the people's resource and you do not have the right to protect yourself and hide under limited laws.

I think we ought to have the capability of going in there and testing the groundwater even if it means going onto their property and into their soil. I am really aghast at the fact that our public agencies seem to defer to the potential polluters in not going after the testing, even if it means going onto their property. If we do not have that right, I think Congress ought to get it.

Mr. BROWN. You have discussed this question of not being able to find the primary responsible parties and the fact that that chore got kicked around between State and Federal agencies. I want to ask just one question about that. That could be just the normal bureaucratic way, that you do not get things done, or it is unlikely, but it is possible, that there may have been an effort to shield some potential party. Do you have any evidence that would indicate that there might have been such an effort or would you ascribe it merely to a lack of a coherent plan?

Mr. BACA. It is tempting to say that there is a conspiracy behind all problems. I do not have any direct evidence that anybody has been shielding potential polluters, but it just seems to me that it has been way too long even for a bureaucracy as large as EPA, not to come forth with even its strategy or its methodology as to how it has gone about trying to isolate who the polluters may be. I think the time has long past to put—to force EPA to put its cards on the table. "Tell us who you have investigated. Tell us who you have eliminated and tell us what tools you have used so that we can judge whether you have done a credible job or not".

Ms. FULLER. Mr. Brown, may I add to that? The question of historical land uses came up at the first seminar that we held at

which the Regional Water Quality Control Board—not the board representative but the staff member who was in charge of the source investigation was one of our speakers. That investigation has been turned over entirely to the regional board. Somebody in the audience said, "I knew of such and such a company that historically was using these things." He said, "Oh, we cannot get into that. We do not have enough resources. It will take us 30 years just to cover the current—possible current sources of pollution." So, I just wanted to put that in the record.

Mr. BROWN. I very much appreciate the thoroughness of your presentation here and I think we may be able to assist EPA in resolving some of the problems that you have brought up. Obviously, we will make every effort to do so.

Chairman TORRES. Thank you, Congressman Brown. I want to thank Ms. Fuller, Mary Johnson, and Mr. Baca for excellent testimony and once again, we will excuse you at this point and call for the next panel.

The next panel that we would like to hear from consists of Mr. Leonard Blake of Beverly Acres Water Co. and Mr. John Albin, who is the president of Prime Engineering Co. May we have these two gentlemen? May I also state before we hear the next testimony to the general public that has gathered here today, many people from many walks of life who have a tremendous interest in this and I want to tell people that this is a congressional public hearing on this particular problem. We certainly invite the public to submit for the record any statements or comments that they might want to make. It is difficult to invite everybody to become a witness and I know a lot of people want to speak at this hearing. Unfortunately, that is impossible.

For those of you that did not get an opportunity to be a public witness, we invite you to submit your statements for the record. Thank you very much. Mr. Blake, I would at this time, give you the microphone.

TESTIMONY OF LEONARD F. BLAKE, VICE PRESIDENT, BEVERLY ACRES MUTUAL WATER USERS ASSOCIATION

Mr. BLAKE. Congressman Torres, thank you very much for inviting me here today to testify. Congressman Brown, thank you for being able to witness these hearings today.

Chairman TORRES. If I may interrupt you again, as I said earlier, I do not know if you were here, but we wanted you to know that we have read your testimony and it will be entered into the record in its entirety. We would ask that in the interest of time, you summarize your statement in about 6 minutes.

Mr. BLAKE. Yes, sir. I call this a frustration of a small water company trying to stay in operation. In June 1985, the Department of Health, the county department of health told us to shut our well down because we were over our limits. During this time, we were new at this. We had no idea of anything—any contamination or anything. Our well has been over in our Beverly Acres Water District since 1940. Our water—Beverly Acres Mutual Homeowners Association really started to populate in the 1940's, right after World War II.

We were going along. We have one well. We have water rights of 93 acre feet which is sufficient for our little company over there. We have never had to buy water to support us. We have our water rights and they are worth their weight in gold as far as we are concerned.

Chairman TORRES. For the record, would you just describe where your water company is?

Mr. BLAKE. I meant to do that. I am sorry. Our water company is located outside of Whittier, northeast of Whittier right off Workman-Mill Road. I think most of the people know where Rose Hills Memorial Park is, Rio-Hondo College. We are situated right in the foothills.

Chairman TORRES. Do you service those homes there?

Mr. BLAKE. We have 97 homes. We have three streets and they are all cul-de-sacs. We service those homes there. We have no water meters. We—like I say, conserve water. When a shortage of water comes, we conserve water. We have a very, very small district and a very close community. During this time, when they shut us down, we hired counsel, legal counsel which, like I say, we did not know anything about anything at that time.

They closed us down. We took it upon ourselves to hire counsel. We paid for the bill. It was over $1,200 for about 3 or 4 weeks of service. That is exactly what it cost us. I will explain that later. They did shut our well down for a period of about 30—almost 30 days.

Chairman TORRES. How did you get water?

Mr. BLAKE. We went to an alternate source. The alternate source cost us about two to three times higher than what we can furnish water to our consumers. We are a mutual company. We are not a profit making company. Through our counsel, our legal counsel, which is very expensive I thought at the time, we came to the conclusion we wanted to keep our well going. So we struck an agreement with the county that we would furnish bottled water to all our consumers and we would leave—keep our well going to pump the contaminants out of the well for agricultural purposes and for—we have horse property over there and for taking care of our animals.

This was agreeable at the time. We went on that. We had no problems then until August—until September 1986. This was a very good agreement. We agreed to it and they gave us permission and we held our promise until September 1986. They again told us to shut down because we were way above the contiminate level on TCE. That was corrected within a month. The county told us to shut down again in October 1986. We held a homeowners' meeting and we said:

> No; we want to continue our bottled water as was previously approved by the Los Angeles Health Department, until we can get a permanent solution by putting a charcoal filter system in.

They—the county almost went to court. They said they were going to get some court action to shut us down and we said, "No; we will not shut down in that these limits that they are putting on us now are unenforceable." Upon agreement we met with the county again, the health department of the county and we came to

the agreement that, fine, we are OK. We do not have to shut down. We will continue. We are furnishing bottled water for drinking and culinary purposes. Agricultural water for the rest of it. As long as we are pumping the contaminants out of there, if we shut down, our well is going to be so contaminated. If we ever start it up again, it will take us months to get that contamination out of there. So, I feel that we are doing the right thing in doing this.

In November—in the latter part of 1986 we had in our treasury about $25,000 which we planned on putting forward to installing a charcoal filter system. At this time there were two debates, should we go that way, but we heard that the county was going to widen Workman-Mill Road. Workman-Mill Road took priority because we thought we had eminent domain on our main water line along Workman-Mill Road. The county, of course, shot us out of the saddle. No way could we get it.

We were forced by the county to move our line. So, instead of putting the money toward the purchase of a filtration system, we had to put that money into lowering our water line from Cliota Street down to Starca. It cost us—we had an estimate of $24,700. With the amendments and everything, when we finished that part it was up to, I think $28,000 we had to put out of our pocket. That would have been bad enough but the county insisted from Cliota Street north toward Rio-Hondo College we have about 600 feet. At the time of the drawings, they said we were OK. We did not have to lower our water line.

The county said we did. There was no alternative. We had to go out and borrow $20,000. Our little company had to go out and borrow $20,000 to comply with the county and lower that line. That was a total of roughly $45,000 that we put out of our pockets, out of our little company. We are not squawking about that because that is the way it is. Now, the only thing that we want is, we are trying to stay in business.

We have our water rights. That is all we want is to stay in business, pump the water. We are furnishing bottled water. The only problem we are having with the water is some of our elderly people need assistance, the supplier of the bottled water, if they need it, puts it on the stand for them. If not, our neighbors do it.

Our expenses from 1985 through 1989, all in water supply when our well was shut down was $6,297.58. Our bottled water, $31,751, legal counsel, $1,250. Now, we have an engineer, chemical engineer, who is retired from Bechtel, and he lives right next door to me. Now, they wanted a pilot program set, a pilot set in there. We spent $232 in materials. He built that. He did all the studies, worked for months down there in our well and we figured with a charcoal system, filtration system in there, that we can go 18 to 24 months, depending on the contaminants in the water—in the well.

At that price, we can—we figure that we will go along with that because this is our water company. In February 1988, we went to a dinner over in San Gabriel. We had a representative from the EPA there at the time. We were hoping that maybe we could get some help, a low interest loan or something. After the meeting was over and of course all the questions and answers, EPA told us that they were doing feasibility studies, testing. We said, "Well, are you going to do something about providing some aid to us small water

companies?" The answer was, "Any financial assistance, loans or grants will have to come from other sources." The county has none. The State has none. We have nowhere to go, period.

Now, all that we are asking here--and a funny thing on getting down there where they cannot provide any money to help us or any financial aid or low interest loans, in April 1988, here is an article here, according to the letter that you put out Congressman Torres, EPA was supposed to pay for 90 percent and the State 10 percent of any studies or anything. Now, here an example, the State—for example, he said the State has a $1.7 million grant from EPA to do preliminary assessments of Superfund sites. Now, I guess this means more feasibility studies. But that $1.7 million, I would say, would be a solution for small water companies who are really struggling to survive. It would take care of us.

We are not asking for grants, just a low interest loan for a period of 10 to 20 years, or even less than that. Now, there is a grant from the Federal Government to the State, I presume for more feasibility studies. Now, this does not make sense when we are fighting for our life to keep supplying water and safe water to our customers.

Now the only other problem—now we are still OK, but I am asking for your assistance now, is there some way with all of this $8.8 million poured into here, is there anyway small water companies like us and—or some big water companies—we are nonprofit. The big water companies, they make a profit. We are asking if you would be fair with us. Treat us like everybody else. Can we get some low interest loans so we can go ahead and put our system in where we do not have to worry?

Now, another thing, on Friday I was notified by the county health department that the State Health Department——

Chairman TORRES. You have 1 minute to sum up, Mr. Blake.

Mr. BLAKE [continuing]. I will, yes, sir. That the maximum contaminant levels right now are enforceable. OK, TCE, the State levels are now five parts per billion. That is TCE. The PCE is five parts per billion. I discussed this with the county health department. From July 1985 through—no, 1986 through November 1988, our TCE averaged five point one part per billion. We are one point over. On the PCE our parts per billion, we averaged four point three. We are safe there. Yet he says, we are going to be shut down for one point. Now, I remember rightly, the statement was made, "From the day you were born, if you consume 2 liters of this water daily, maybe at age 70, 1 out of 1 million might contact cancer". I would like to take that chance. Congressman Torres, thank you very much for allowing me to be here.

Chairman TORRES. Thank you, Mr. Blake for your excellent testimony. I want to just say in reference to your question that this is why we are here. We want to hear from persons like yourself, the public, small business persons, to understand the nature of your problems and based on that let us say the history that we are going through, allow us to return to Washington and the subcommittee and begin to put together some answers for you.

Mr. BLAKE. Thank you very much, Congressman.

[Mr. Blake's statement may be found in the appendix.]

Chairman TORRES. Mr. Albin.

TESTIMONY OF JOHN ALBIN, PRESIDENT, PRIME ENGINEERING, INC., SOUTH EL MONTE, CA

Mr. ALBIN. Thank you. My name is John Albin. I am the president of Prime Engineering, Inc., in South El Monte, CA. We are representative of the small businesses in this area who frankly, are being taken advantage of by the EPA through the water quality control—into doing an incredible amount of search that was previously talked about by previous speakers that was not being done. It is being done on our property. It is being done at our expense in spite of the fact that we can prove we are not party to any pollution.

My company is a small manufacturer, privately owned from 35 to 40 employees of military aircraft parts. We have been there for 27 years.

Chairman TORRES. Where are you located?

Mr. ALBIN. In South El Monte. I have 40 people that live throughout this area. A number of months ago, the water quality control board came and asked that some soil samples be taken, asked us to pay for it. I did so, took two samples, two borings down and paid for them, two 5 feet. They came back with miniscule amounts of only two chemicals. I called Shell Chemical—excuse me, Chevron Chemical and asked if those chemicals were contained in any of the oils that we buy from them, the soluble machining oil which are the only chemicals that we use that could possibly contaminate. They did not exist in any of these chemicals.

We cannot in anyway be a contributor. They have still asked us to drill a 40-foot well, past the water table and I am in the early stages of this and so I wrote them a letter and said, "It is not right that I should have to drill a well for $5,000, $10,000, to $20,000 to prove something that I am already innocent," because they are more than welcome to come in and audit my records that I do not buy those chemicals. If they are in the ground, they are in the ground. I have neighbors up and down the street who are asked to have done the same thing. My machine shop neighbor next door was asked to put a 40-foot well. There are—another company oh, less than a half a block away that has had a well in for over a year. He has proven in the continual drillings, that there are no contaminants that come from his property and he is still being asked to drill and make water samples at his expense.

He would not even show here today for fear of reprisals from the water quality control board because he feels he is at the tail end of this expense. It is wrong. We represent hundreds of small businesses. If we are guilty, I am more than willing to stand up and clean up, to pay the piper so to speak. But to do it for the sake of putting a well so somebody can monitor the contamination in Azusa or someplace else, that is not my responsibility. I cannot afford it. My people cannot afford it, and the livelihood, and the jobs of a lot of people are at stake, multiplied by all my neighbors.

I wrote this letter which you have in the record that explained it and to this point, I have not received a reply back from the water quality control. But I have spent $2,200 making the initial borings. The estimate to do what they ask is in the neighborhood of $10,000. I do not have it to spend. We are on military programs. We are

being cut back. We had a very poor year last year. We are coming back with economics of one type or another. We are not polluters and I do not feel we should have to pay.

[Mr. Albin's letter may be found in the appendix.]

Chairman TORRES. Thank you, Mr. Albin. I have your letter. it will be entered into the record as your statement, your testimony, as you know, it is all being recorded. Let me read to you something that I received also and ask you if this has been generally your experience. I have another letter and I cite this for the record. It says:

> We, the individual businessmen involved in the South El Monte Business Council wish to convey our support in your efforts to resolve the San Gabriel Basin water supply cleanup. However, our feelings of support are mixed with concern and fear. Our fears and concerns are relative to tactics utilized by water quality control boards in obtaining access to groundwater samples. Individual businessmen have been required to install monitoring wells, sample water, analyze sample water and dispose of waste water at their expense. We feel this approach is totally unfair. Costs for this type of monitoring and sampling should be shouldered by all property owners in the San Gabriel Valley.
>
> Costs to several local businesses have exceeded $100,000 per property. These significant costs are forcing businesses to consider closing their operations and/or seek protection under bankruptcy laws. We feel is it certainly not the democratic way to impose this type of expenditure on individuals rather than impose small costs on all property owners.

This is a statement from the South El Monte Business Council. I simply wanted to read that into the record and ask you again, has this generally been your experience?

Mr. ALBIN. Yes, sir, not only in South El Monte but everywhere.

Chairman TORRES. Mr. Albin are you a member of this Business Council?

Mr. ALBIN. Yes.

Chairman TORRES. You are.

Mr. ALBIN. Yes; I am a past member of the board. I am not currently active. But the same thing is happening in our city and our valley and the San Fernando Valley. The EPA is doing the same thing with companies like mine and expending tremendous amounts of money that should not be spent and putting the money in the wrong place.

Chairman TORRES. Mr. Blake, I have a map here. I hope my staff can give you a copy. It is from the Supplemental Sampling Survey done for the EPA on the San Gabriel Valley. I will put it before you there, Mr. Blake. Look at that map there, Mr. Blake and you see some coloring that has been put in. Do you see the red dots?

[The map referred to above may be found in the subcommittee's files.]

Mr. BLAKE. Yes, sir.

Chairman TORRES. That is the city of Whittier wells. Then you will notice the black dots.

Mr. BLAKE. Yes, sir.

Chairman TORRES. That is the Bartola well field. Now, the little blue dot is your well, one dot, one well.

Mr. BLAKE. Yes, sir.

Chairman TORRES. Is that correct?

Mr. BLAKE. Yes, sir.

Chairman TORRES. Why it is—I am asking you and perhaps you can tell me, why is it that you are not hooked up to the Bartola well field?

Mr. BLAKE. That is a question that we do not know. We have been after the EPA. We have been after anybody we can talk to and all we get is sympathy and of course, we cannot drink sympathy. All we want is—we know the solution, is to put a carbonated system in. We have negotiated with Culligan International. They will drop a system in there for us, now this was about a year ago, for $67,000. We pay a monthly payment of $1,400. After 5 years, they sell it to us for $1. It meets all the criteria for cleaning up our water, everything that is in that water.

We cannot get a loan, and like I mentioned before, we were ready to go into this until they widened the road and we did not have eminent domain on that road and therefore, we had to spend $48,000. We have spent $31,000 in bottled water. All that we have to do is—we know the solution, is to put a charcoal system in. This solution—the charcoal system, they will dump it in for us, 30 to 60 days, we will be in operation and we have no more——

Chairman TORRES. What about the proximity of your well to the Bartola field here?

Mr. BLAKE. We are pretty close.

Chairman TORRES. Does it make sense—did you request this? Did you request to be tied into this?

Mr. BLAKE. CHM2 Hill has given us a little bit of information. We are waiting for another study.

Chairman TORRES. CHM2 Hill is the consulting firm?

Mr. BLAKE. They are the consulting company for the EPA. We have dealt with them quite a few times, and they are thinking about maybe bringing us in there. But what would be—now this is Bartola wells area, that is Suburban Water System. That is a profit-making water company. Can we—if they put us in there, will they take part of our water rights and mix with our well? I think that would be satisfactory with us. But, if they do not, and they make us shut down, and they buy our water rights, are we going to be paying—see, we were paying—before all of this started, our water was costing us with our assessment and everything else, about $10 to $12 a month. Now it is up—with the bottled water, we are up over $30, $35 a month. All we want to do is get back. We are willing—all that we want to do is a low interest loan or some help someplace. And it is just—we are just frustrated. If they would—now, we do not know. They might want to hook us in there and supply water from the Bartola wells to blend our water, if they took part of our water rights, but they—you know, what they would give us for the blending, that is fine. But we cannot blend the way we are. Like I say, we have that—1929 the first well went in there—that belongs to us. We are proud of that. We are ready to fight for it.

But nobody has come up with a plan except hearsay that they might tie into us from the Bartola wells from suburban, but we have no details. We have called CHM2 Hill. We have called them for more information and we are just frustrated.

Chairman TORRES. Mr. Brown, I would like to yield time to you if you have some questions of our witnesses.

Mr. BROWN. I am very concerned that Mr. Blake and the small water companies of his type or even larger cannot get any help to improve the treatment of their water and make it safe for consumption. I suspect that this may reflect a lack of money for some of the Federal agencies that are involved here because we do have programs for low cost Federal grants, low interest Federal loans and grants for improvement of water systems and for cleaning up the water. I am frankly not quite up to date as to where we stand, but I am sure you have heard that the Federal Government is running a deficit itself. We have a little problem getting money to some of these worthwhile causes.

Part of the reason that you cannot get some of that investigatory money that you mentioned in the State of California is that that goes to just the Superfund sites. It cannot be used for indiscriminate investigations unless there has been a designation of a Superfund site there. Those Superfund sites absorb an awful lot of money. But what you really have here in the San Gabriel Valley is one whole area that should be considered as a Superfund site. You have four smaller sites here. But actually these four specific sites obviously have contributed to the pollution throughout this portion of San Gabriel Valley.

I think one thing this committee ought to do is look into the possibility of broadening the ability of EPA to use this investigatory money to cover a broader area than they have been which is just those four specific sites.

Mr. BLAKE. Congressman Brown, I agree with you whole heartedly. When Ruben Holmes over in El Monte—when their well cleared up, they had—from Sally Tanner—Assemblywoman Sally Tanner, she went to work for those people and God bless her, she did a good job. When Ruben Holmes—I think I am pronouncing Ruben Holmes right—they had a grant for them to install a filter system. Their well cleared up so they did not use that. I got in touch with the EPA in San Francisco and I said, "Is there any way—we do not want a grant. You have the money there. Can we borrow that money at a low interest rate so we can clear up our water?" All I got was sympathy again. No results.

All we are asking for is to give us access to some place where we can borrow the money. We are not asking for a grant. We are not asking for charity. Give us a place within 60 days, with Culligan International, we can drop that in there and we are scott free. Within 60 to 90 days, the county is trying to shut us down again for one point over—one part—five point one parts per billion, five is allowed. They are putting us down—they are going to try to shut us down again. We are going to give them an argument. I mean, that is all we have left.

Mr. BROWN. Mr. Blake, I certainly recommend that you give them an argument and Mr. Albin, that you give them an argument too on things such as that well. If you were a Superfund site, they would be paying for that well. They are on a fishing expedition it looks like to me. Again, is something that they ought to be questioned by this subcommittee. Thank you, Mr. Chairman.

Chairman TORRES. Thank you, Mr. Brown. Gentlemen, I thank you very much for your excellent testimony. Having concluded with this part of the hearing this morning, ladies and gentlemen in

the audience. This is our third panel, we are going to take about a 20-minute break in order to give the people a little relief here. Then we are going to resume the hearing and we will be hearing then from the water district in the area. We are going to hear from the Toxic Substance Control Division of the State of California and also the California Regional Water Quality Control Board and we will see what they have to say. Thank you very much, again. We will break for 20 minutes.

[Whereupon, a short recess was taken.]

Chairman TORRES. Ladies and gentlemen, if we can resume. Will you please take your seats. We have come through this morning with some rather expeditious work and varied testimony. We are on time. We would like to proceed very much in the same vein that we did earlier by asking our witnesses to summarize their statements and that way we know we will be able to end up the day with adequate information here.

At this time, I would like to call the next three witnesses, who will comprise our panel, to the front of the room. They are, as I indicated earlier to you, Mr. Robert Berlien, the general manager of the Upper San Gabriel Water Municipal District; Mr. Ted Rauh, who is representing Dave Willis, the deputy director of the Toxic Substance Control Division, Department of Health Services of the State of California; and Mr. Hank Yacoub, the program director of the Toxic Section, California Regional Water Quality Control Board Los Angeles Region. Would you all please join us.

Gentlemen, I again appreciate your presence this morning. You add an important aspect to this hearing. We are going to ask again if you will bear with us in the interest of time to summarize your statements. We have them for the record in their entirety. They will be printed that way, but we would ask that you summarize as well as you can. I would like to take you in the order that I called you up here, hearing from Mr. Berlien first.

TESTIMONY OF ROBERT BERLIEN, GENERAL MANAGER, UPPER SAN GABRIEL VALLEY MUNICIPAL WATER DISTRICT

Mr. BERLIEN. Yes; Congressman Torres, Congressman Brown, I have submitted a written statement, so I will try and summarize that. As we all know, this groundwater contamination problem is a very complex problem. There is an immense amount of cleanup and source investigation work remaining to be done. I think I would like to summarize my testimony by talking about the four recommendations that I had made.

The first recommendation is that EPA increase its funding for the site to allow the planning and construction of an Azusa/Baldwin Park operable unit in the immediate future. Second, I have recommended that a major source investigation and responsible party search be immediately started with a goal of identifying and prosecuting all major responsible parties within the next 2 years. Third, that additional EPA staff be added to the San Gabriel project to facilitate the above recommendations and that consideration be given to having a local EPA office in the San Gabriel Valley. Four is that the EPA coordinate its work and your task force coordinate its work with the main San Gabriel Basin Water

Master as this agency has been designated by the local water suppliers as the local representative here to represent the local people.

I think that pretty much summarizes my recommendations, Congressman.

[Mr. Berlien's statement may be found in the appendix.]

Chairman TORRES. That was short and swift, and I appreciate that. I will be getting back to you with some relevant questions. I am sure you can elucidate at that point. Mr. Rauh, may we hear from you, sir?

TESTIMONY OF C. DAVID WILLIS, DEPARTMENT OF HEALTH SERVICES, TOXIC SUBSTANCES CONTROL DIVISION, PROGRAM PLANNING AND EVALUATION SECTION, SACRAMENTO, CA, PRESENTED BY TED N. RAUH

Mr. RAUH. Congressman Torres and Congressman Brown, my name is Ted Rauh. I am with the Department of Health Services, here representing David Willis who was unable to attend. He is in Sacramento participating in other legislative hearings at the State Capitol. I represent the Department of Health Services, Toxic Substance Control Division. I would like to start by simply indicating the two roles that the Department of Health Services plays within the San Gabriel Water Basin area. The first, our Public Water Supply Branch regulates and monitors the water quality and the operation of the water districts, those districts that have over 200 constituent hook-ups.

Second, that same branch is responsible for working with those districts in terms of establishing water standards and working with them if they choose to take treated water and reuse it in their system in one form or another. The Toxic Substances Control Division is the lead State site mitigation agency for California with 177 sites certified as clean today. For San Gabriel we are currently responsible for operation and maintenance of operable units, those that are being discussed today, for those federally financed facilities in that we provide a 10 percent cost share for construction and operation and maintenance.

We are also participating in the basin assessment effort along with local agencies and the Regional Water Quality Control Board. We are also responsible for CEQA as it is appropriately applied for the operable units. We are responsible for enforcement, for those uncooperative responsible parties that through the Regional Water Quality Control Board's efforts when they are unsuccessful, they can turn those parties over to us and we can utilize our enforcement activity and authority against them.

Finally, for those sites uncovered by the Regional Board that do not have any responsible parties, they would be factored into the Department of Health Services overall site cleanup priorities and handled through our site clean-up authority as appropriate. DHS, however, has gone through some funding concerns at the present time. We have expended our $100 million bond fund on sites, many of the sites I mentioned that we have certified as clean. In that effort, the program has leveraged $11 of RP funding for every $1 that the State has spent. We are now pursuing a more vigorous enforcement action in that we do not have those bond funds available

and we are going to attempt to double that leverage over the coming years.

So, future site mitigation funding for projects like the San Gabriel area will have to be special—or individual appropriations within the State legislature in coming years until such time as an alternative funding mechanism is developed. In terms of San Gabriel Valley capability right now, We are, as I said, participating in the assessment. We have personnel year resources for that. We do have funds set aside for the next year for our 10 percent share for the Richwood operable unit. We have dollars set aside for our 10 percent share of the suburban operable unit. We also are prepared to carry out CEQA responsibilities as appropriate during that timeframe.

DHS is limited as I indicated in funding for other operable units. We have no funding for Baldwin Park. We do not have any funding for any Water Board—Regional Water Quality Control Board referred sites. In either case, if those were determined to go forward, we would have to reprioritize the site cleanup activities in southern California to find the resources to participate. In terms of your question about assessing the conventional RIFS and cost recovery process and its ability to deal with the San Gabriel Basin, as many people have already testified, the technical complexity, the number of impacted wells, number of plumes and sources, the difficulty this all places in attaching contamination to a particular source, the historic pumping impacts of all combined, make traditional RIFS processes very time consuming and difficult.

Also liability for basin-wide costs make any RP voluntary actions and cost recovery very difficult. In other words, if an RP is found, by admitting liability that particular company or individual buys into the overall cost for the entire basin from a legal standpoint. So, I think that makes it quite difficult, for small businesses and other businesses for that matter, seeing the total scope of the San Gabriel Basin and the fact that it is treated as a Superfund site, to willingly come forward, because they are basically admitting some liability for the entire activity.

Also the technical complexity will make it very difficult in any cost recovery litigation, because again, we are going to have to deal with all the complexity that myself and others have mentioned and I think EPA will mention at the same time trying to trace individual molecules back to individual generators. So, that too works against voluntary contributions from those found responsible for the actions in the basin. So, I think that argues for perhaps a modification to the approach that we have been following.

Certainly EPA's basin-wide plan is an important component. Getting that into the hands of all of the effected agencies represented here today will be an important step in building a consensus as to how to manage the basin in the long term. The involvement by all levels of government is also critical and I think the efforts by the water master and the constituent water districts to give the water master that authority, can potentially play a major role in the future in helping coordinate and manage the basin.

Other funding sources may be necessary to break some of the gridlock I have described, both in terms of the complexity and the cost recovery issue. Finally, perhaps a policy decision on cost recov-

ery and how it is applied in this case is something the committee might want to take into consideration. That completes my testimony.

[Mr. Willis's statement may be found in the appendix.]

Chairman TORRES. Thank you, Mr. Rauh. Mr. Yacoub.

TESTIMONY OF HANK H. YACOUB, P.E., CHIEF, TOXICS PROGRAM, CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD, LOS ANGELES REGION

Mr. YACOUB. Members of the panel, thank you very much for inviting us here. I might take a few more extra minutes to talk about a number of issues and some of the experience we have had in our source investigation in San Gabriel Valley. Perhaps the regional board has been the most active local regional agency in the area. I heard a number of comments this morning. I would like to have the opportunity to respond very briefly.

My name is Hank Yacoub, I am a supervising engineer with the Regional Water Quality Control Board. My testimony today will attempt to define what the regional board knows about the problem and the plan we are now implementing for tackling one part of the problem within the overall remedial strategy for San Gabriel Valley. At the present time, the regional board—half of the regional board budget is devoted to groundwater investigation and cleanup. We deal with a number of regulatory and enforcement programs and just a few line summary for those of you who are not familiar with some of the existing programs on the books. We have land disposal regulations, which covers hazardous and nonhazardous waste treatment and storage facilities.

We have the so-called SWAT Program, solid waste disposal site agreement test, primarily focused on landfills. The underground storage tank, in our opinion, perhaps the most important legislation passed, that deals with the investigation of leaking underground tanks. It is no secret that 70 percent of the tanks are leaking today. The RCRA, the Resource Conservation and Recovery Act, which is a Federal program. In that particular program, we assist Environmental Protection Agency and Department of Health Services in conducting inspections and doing some monitoring on their behalf. The Toxic Pit Control Act [TPCA], another program which is basically—is almost like one-shot deal. It deals with ponds and it investigates the leaking ponds and should we find them leaking we ask the owners to close it down or retrofit.

Finally, the one that we will dwell on a little bit today is the well investigative program in which the board has the primary responsibility for identifying discharge sources that have effected drinking water supply wells in San Gabriel Valley and even throughout the State of California. You heard this morning about the contamination problem. Primarily we are dealing with volatile organics and the prime culprits are tricholorethylene and percholorethylene, very similar. They are solvents. They are degreasers used heavily in the past and even today in commerce, industry, and manufacturing businesses. The groundwater containing these chemicals—this is a very important significant finding—will pass through Whittier Narrows unless remedial action is taken to stop

the migration and spreading of these chemicals from one basin to another. The goal of the regional board is to prevent further degradation. Our goal is to take immediate action to the extent possible such as the proposal made by EPA, putting some treatment system at the Whittier Narrows. Basically, the Whittier Narrows is a window between the San Gabriel Basin and the Central Basin. To just help you a little bit, the San Gabriel Basin is similar to a bowl full of water and it overflows at Whittier Narrows into another basin beginning with Montebello Bay and we are beginning to detect some contaminants, low level of contaminants into that particular zone. We feel that we—if action is not taken, the contamination will migrate into another basin. That is something nobody is willing to see happen.

[The map referred to above may be found in the appendix.]

Chairman TORRES. Is that—the substance of your basins, is this a chart that is up here? I did not get to see it. There is a chart in front of you.

Mr. YACOUB. Not this one. This is a——

Chairman TORRES. The one on the left. I see, is the—could you just describe that so people can get a sense of——

Mr. YACOUB. The colored area we are talking about is the area of contamination and again, you see all these spots, that does not mean that the white areas are not contaminated. The reason why we do not have any colored zone in that area is simply we do not have test wells. Perhaps if you sink wells within the white areas, you may find contamination. As Congressman Brown pointed out, this entire area may be contaminated. So, you may look at it as a single Superfund area.

Chairman TORRES. The whole basin would be a single Superfund site fund.

Mr. YACOUB. Basically, this portion definitely. Whittier Narrows, this is the window that—I refer to it as a window or the area that the contaminated groundwater of San Gabriel Valley will eventually migrate and spill over into the Montebello Forebay or the Central Basin and other groundwater basins. So, this is one of the areas that EPA right now is focusing to prevent migration of the regional contaminated groundwater into another basin.

Chairman TORRES. To another basin. Whittier Narrows is the entry point for that additional contamination.

Mr. YACOUB. Basically, it's an outpour.

Chairman TORRES. Would it effect cities like Cape Rivera and——

Mr. YACOUB. The groundwater gets shallower here, much, much shallower. For example, you encounter groundwater here at 30, 40 feet. Up here it goes as deep as 220-, 240-feet deep. It's like bowl shaped. The geometry of the basin is like a big bowl full of sand and gravel, saturated with water. That is basically what we are looking at. This is the outpour. From the mouth of San Gabriel Valley out into Central Basin.

Chairman TORRES. Thank you for explaining that, Mr. Yacoub. I am sorry I interrupted you. I thought it was important.

Mr. YACOUB. That is OK. As I pointed out, our goal is to prevent further degradation and to this end, the board is implementing an action plan. I am going to get to the plan, but before I do that, I

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would like to summarize some of the findings that is related to our well or source investigation program and it does relate to small and large businesses which may have contributed to the groundwater contamination problem in the valley.

Now, in the last 2 years, the regional board source identification program has contacted over 2,000 facilities in La Puente, El Monte, and the city of Industry. Now, I heard this morning why we are in El Monte? The answer is very simple. Just in the city of El Monte we have 35 contaminated wells. So, we consider that as a priority location to begin with. Then we expanded our investigation in the neighboring area. Perhaps the best description about this basin, what we really have, if we start talking about 7,000 to 10,000 potential sources or responsible parties to be investigated, you are really looking into a real monumental pieces of puzzle, 7,000 pieces of puzzle to put together to eventually come up with a picture, maybe an ugly one. We do not know yet.

So, we are looking into each and every facility, historically or otherwise, which have used chemicals that relates to what we have discovered in the groundwater. We have to turn every single stone and look under it. That doesn't mean that we are out there to bankrupt or penalize anyone. Simply it is a program that once and for all we have to sweep the basin and try to locate if we can—this is the most difficult part—historical discharges. But above all, we strongly feel that today there are facilities out there using chemicals, perhaps not TCE, perhaps acetone. We have not discovered acetone in the groundwater, but give me another 10 years. If we do not take action, you will find acetone in the groundwater.

The sad part of that would be that we spend millions of dollars to treat trichloroethylene and the moment you find acetone, that treatment system is obsolete. You have to replan, redesign and spend another millions of dollars to deal with acetone. So, we feel and I strongly believe that the source investigation program that the regional board is undertaking today is really a plus to the industry, to the public and the water companies and the bottom line, the taxpayers.

Major sources of groundwater contamination such as leaking tanks, have been discovered at several large company sites within our investigation areas. Board staff is working cooperatively with the identified responsible parties to eliminate the sources of contamination and clean up the affected groundwater. A typical example was mentioned this morning, the Carrier Corp., BDP. Voluntarily, they approached the board in late 1985 and as of today, perhaps they have spent over $4 million to put a treatment system on their own, to try to mitigate the source of contamination both in soil and in groundwater. Further, they are defining the full extent of the plume downstream. It is almost a mile downstream, and they have already constructed what we call extraction wells which are intercepting and pumping out and pulling back the contamination. Roughly, today we are treating about 800 gallons per minute of contaminated groundwater.

Another important point which——

Chairman TORRES. Can you be more specific, Mr. Yacoub? Where is that——

Mr. YACOUB. Roughly 1.2 million gallons a day.

Chairman TORRES. That is the company down near the——

Mr. YACOUB. The city of Industry that was referred to by Mr. Baca this morning.

Chairman TORRES. They voluntarily have taken on this——

Mr. YACOUB. That is correct, because this is a company which extensively used TCE and since then, of course, they have switched to other chemicals, but they discovered the leak from a single small concrete sump, a single small concrete sump. Up to 8,000 to 10,000 gallons of solvent had leaked from that sump, over a number of years. It went undetected until their inventory showed some problems. They looked into it. They drilled some wells and they came to us requesting—as a matter of fact, they wanted some kind of enforcement action so that they can expedite the permitting process and streamline the bureaucratic red tape.

I have no hesitation to commend that company because the work they have done with respect to putting a treatment system, dealing with South Coast Air Quality Management District requirements, our requirements, and still today, they are continuing with their investigation.

Chairman TORRES. Would they be the source of the Whittier Narrows contamination?

Mr. YACOUB. They are further upstream from that area. We cannot say yes to that at this point in time. Unfortunately—this is Whittier Narrows again and the BDP Corp, is right here. So, this particular plume is definitely theirs. They are aggressively working on it. It is to their advantage, Congressman, to expedite the containment because if they do not, this is a common denominator that applies to any responsible party, the liability increases with the spread of the amount of contamination.

So, it is to their advantage to contain that. That would mean a larger cost in the long run. Should they ignore it or fight the regional board or hire high powered attorneys to fight the board, this thing will continue and in the final analysis, the cost will be high and the treatment is going to take a much, much longer time. So, at this point in time, we believe that the plume is pretty much at this—today, based on groundwater wells data we have is up here. They have been required to do additional monitoring in this case with respect to source investigation or with respect to defining the extent of the plume which has not been difined yet. But they took responsible action immediately activating a treatment system to stop migration.

Chairman TORRES. Thank you.

Mr. YACOUB. What I can see that a typical case of an industry who chose——

Chairman TORRES. I would imagine that is a rare exception though, is it not?

Mr. YACOUB. It is an exception in a sense, number one, it is the largest spill that we have detected in San Gabriel Basin. That is number one. Number two, I think the people in that corporation are knowledgeable of the responsibility. Second, they are also knowledgeable of Superfund responsibilities. Superfund is a very complex law. The process is involved, the due process is a complex one. EPA may explain that a little bit further. When it comes to

liability you need to do a number of things before you exclude yourself in paying in as part of—as a responsible party.

We—additionally, it has been found that above ground tanks—and we have no regulation to regulate above ground tanks, sumps, clarifiers, empty drum storage areas, sewer leaks, other sources not normally given much consideration, contribute significantly to groundwater contamination. In essence, the regional board source investigation program has become a catch-all program in its attempt to locate and abate potential sources of groundwater contamination.

Again, there was a statement made by Assemblywoman Tanner in writing, "What is the logic of simply looking at historical spills and not looking into the ones which continue to contribute to groundwater contamination?" We follow that logic very carefully. While the present level of the effort, be it the regional board, water masters, or EPA, is significant, we feel that is not enough.

About a year ago, the regional board acted on a plan and this was in April of last year, and it directed the staff to take some drastic action not just in San Gabriel Valley, but also move on San Fernando Valley. As somebody pointed out, we have got exactly the same problem in San Fernando Valley. So, since then, we have accelerated the updating of permits, be it related to landfills. We have accelerated all phases of the underground tank investigation program in San Gabriel Valley, including monitoring, permitting, assessment, enforcement, and cleanup. We have requested the local agencies—somebody mentioned this morning how they can help us? Well, the regional board is very much willing to pass some of the State and Federal money to local agencies such as the county and city, to deal with underground tank programs. I think that is one area that the local counties and the cities can do a lot.

Again for simple logic, it is the city and county that regulates and permits for tanks, not the State. So, you may follow on that with your monitoring. You may follow on that with your inspection should you find a problem, we also believe you can do some of this, at least soil cleanup, if not the groundwater.

Chairman TORRES. Would you conclude, sir?

Mr. YACOUB. That is exactly what I will do, Mr. Congressman. Overall, I feel that the regional board, EPA, and the water purveyors are making significant strides in developing a coordinated approach in solving this complex problem. The water masters, water purveyors, have adopted a resolution by consensus which sets up the framework for future action and local coordination. The Environmental Protection Agency's basin-wide planning and strategy report is due soon. I believe it will address the critical issues of funding mechanism and water transfer in the basin. The most substantial hurdle appears to be institutional and financial. The issue of 10 percent local match necessary to insure EPA's commitment of 90 percent funding for cleanup systems is still unresolved. This issue now is under consideration. Open dialogue among parties of interest including the State Department of Health Services, is needed to insure that currently planned and funded treatment system go ahead with the anticipated progress.

We share EPA's position that all parties which have contributed to the problem must pay their fair share of cost to clean up and

restore the beneficial use of the groundwater basin. That concludes my testimony.

[Mr. Yacoub's statement may be found in the appendix.]

Chairman TORRES. Thank you, Mr. Yacoub. Thank you very much, especially for illustrating for us graphically exactly what the problem is. It was important for us and the public to understand this critical factor here. Mr. Berlien, you are the general manager of the Upper San Gabriel Valley Municipal Water District. Are you the water master as we know this name?

Mr. BERLIEN. I also work for the water master, I am staff for the water master, yes.

Chairman TORRES. I see; I want to thank you for the four recommendations that you submitted in your testimony as to how we might begin to effect this problem. In your testimony, you did just summarize your recommendations, but in your testimony you criticized EPA's past activities. Could you explain the problem? Could you expand on that, why you mentioned that?

Mr. BERLIEN. Yes; I do not think it was so much criticism as it was concerns we had about the actions they have taken. There obviously are a number of concerns and you have heard them expressed earlier today. The concern on no water being cleaned up over the 5 years we have been a Superfund site. That is certainly a concern. The concern that there is no overall plan for cleaning up the basin, at least that we have seen, no clear understanding of where the cleanup process is going by—at least by the water supplier.

Chairman TORRES. So you agree with the earlier testimony of the East Valley Organization that was here earlier, and with Mr. Baca in those criticisms about these points?

Mr. BERLIEN. Yes; I do agree. We need to have a local agency here that is coordinating what the EPA is going to do in the future. We think the water agencies, the local water agencies are the best agency to do that. The local water agencies have—by a joint resolution, they were adopted 3 or 4 months ago, designated the main San Gabriel Water Master as that agency, to be the lead agency here. We hope in the future to coordinate the EPA's activities with the local water suppliers through that agency.

Chairman TORRES. Why do you think it took so long, from 1983 until 1989 as I understand it, to build a treatment facility for the Richwood Mutual System? Why do you think it took so long?

Mr. BERLIEN. My understanding—and I was not involved in the early process, but there were a number of considerations made. EPA had reached several decisions. First, they decided they would put in an air stripping tower which was their first decision. Then that—through input from the local water company and Assemblywoman Tanner, did not seem like the right decision. So, they had to change that process and go with an activated carbon system. Then there was a problem again, after that was designed in some site preparation. The original design was not going to fit that. So, it did take a long time and I am not sure that I can answer all those questions.

Chairman TORRES. To your knowledge, it is true that the consultants who were looking into the system or the process never even made a site visit? Do you understand that to be the case.

Mr. BERLIEN. I do not know that to be true. I do—I had heard that there were some problems with the original design not fitting into the site that was available or why that happened, I cannot answer it.

Chairman TORRES. What are your comments generally about the Hemlock Co? We see this article today in the LA Times lead story, about how this small company with what, $40,000, was able to do what EPA spent $1.5 million on.

Mr. BERLIEN. Unfortunately, that is the problem with complying with the Superfund regulations. They are very complex. I have tried to procure engineering services and things using the EPA regulations and it is a very frustrating, very time consuming process. An agency that has the money available and that can go out and hire a contractor as they deem in their best interests can certainly move much, much faster and a lot less money than the EPA can do it. There is just no question about it. To me that explains a lot of the frustrations and a lot of the problems that we are having here in the San Gabriel Valley.

The EPA, their local office is trying to do a good job. It seems to me they are doing everything they can but they are handicapped by conforming with all the Superfund and CERA and CIRCLA regulations and it just makes things extremely difficult to expedite.

Chairman TORRES. Mr. Brown, would you care at this time to raise some questions of Mr. Berlien, now that he is——

Mr. BROWN. These hearings are always extremely enlightening, particularly when you see how it parallels with problems that you are seeing in other areas. I was a little struck by your testimony, Mr. Berlien, that despite the various things that you mentioned that you were not too happy with, that you did not feel it was—you felt it was unproductive to criticize past EPA decisions. I hope EPA does not feel that you are being too critical about that.

Mr. Yacoub, you made a point about the necessity to prevent contamination from passing over the Whittier Narrows. You made it almost appear like the Central Basin is a body of pristine pure undergroundwater and that it was sort of a virgin territory and the San Gabriel Valley was about to infect it with all these massive chemicals that are going over there. I really cannot quite see that. You know, they have the same underground tanks and all these other sources. They are bound to have some contamination. Now, they are probably a different kind of a water basin. That is they may not be the deep bowl that the San Gabriel Valley is. The flushing action may be greater and it is harder to build up chemicals. But I do not know that. I am asking you to kind of define the differences between the two basins. Is it true that the Central is a virgin basin that should never be contaminated by the San Gabriel Valley?

Mr. YACOUB. I am sorry if I led you to that impression. You are absolutely correct. As a matter of fact the Central Basin, they have their same problem. You are also correct that the geometry of the San Gabriel compared to that of Central is drastically different. San Gabriel is known to be an unconfined aquifer. All you need to do is just drive by 605, you will see all these gravel pits operating. It is nothing more than sand and gravel, highly permeable material. The water that you see exposed as you drive along 605, that is

the groundwater. You do not see that situation in the Central Basin. You are correct by indicating that Central Basin geology, hydrology is quite different. It is multilayer confined aquifer and most of the contamination—there is contamination in Central Basin. None of the basins are pristine.

But most of the contamination is limited to the upper aquifers or the upper zone of the groundwater, because the lower ones are protected by clay layers and that does not mean that they are immune from contamination. Time could tell and if we do not clean the upper aquifer, then the lowers will be contaminated in time. The point I was trying to make that as the contaminated water leaves the San Gabriel Basin, it does enter a zone where the groundwater is usable and the contaminants level are below drinking water standards. The contamination leaving San Gabriel Basin does exceed the drinking water standard in terms of numbers. It is basically—you have a container containing, let us say one part per billion of trichloroethylene which is considered safe and you have another container just above it spilling into that at 10 parts per billion of TCE which is not drinkable.

Now, in time, if you combine both with the blending effect, the lower container will get contaminated. The bottom line is, it is not really the level of concentration. It is the requirement of the drinking water standards simply 4 parts per billion of perchloroethylene or 5 parts per million of trichloroethylene which is not different than 5,000 parts per billion, when it comes to shutting down a well or putting it out of service.

So, the point I was trying to make there is highly contaminated groundwater above moving into less contaminated water and in time, they would blend and both will be rendered nondrinkable. That is the point that I am trying to make. That is basically what——

Mr. BROWN. That is a reasonable point if the Central Basin is say just below the point, then the additional contamination can bring it over the point. You have a sound argument, not necessarily sound, but on the surface sound, shall we say. because in the Central Basin if your characterization is correct, that there are several aquifers at different levels, they always will go to a lower aquifer which is uncontaminated and which you have been forced to do already here in the San Gabriel Basin in order to make sure that the drinking water was not contaminated. That is a similar problem, incidentally, that they have out in San Bernardino County, where they have had to go to lower aquifers to make sure the water was pure.

But the question is, I think you raised, Mr. Berlien, that the EPA has concentrated the bulk of their resources in that Whittier Narrows area to the detriment of doing anything about the areas in the other parts of the basin which are producing these contaminants and which obviously need some remedial action. But what you have is a trade-off and I am not going to say that you have made the wrong trade-off. I am just raising the question and Mr. Berlien raises the question.

Mr. YACOUB. I think it is a very valid question but it seems to me there is some misconception. For example, let us take what is happening right now in the basin. We are doing the source investiga-

tion. We are looking for potential sources and whenever we find a leak or source of contamination, we are trying to abate that. Now, at the same time, just visualize the colored area on the map. The groundwater in that portion of the basin is contaminated. Now, the second thing you need to be aware of, that particular groundwater itself now is the source. The reason for that is because groundwater moves. So, and we have taken actions such as BDP and in other areas. I just mention BDP. There are a number of other areas responsible for this and have taken action. They have already removed their leaking tanks. They have removed the contaminated soil. They are beginning to clean up the so-called hot spot, but beyond that, what EPA is doing, EPA is trying to address the regional problem. We got the sources working on, we got the hotspot. We got moving groundwater and now we got some window that needs to be closed.

If you take it all in the proper perspective, then you understand where we are coming from. It is not an easy task. It requires a lot of money.

Mr. BROWN. I heard that story for the last 18 years. I am sure you are familiar with it. They are very fine people and I love them all but they kept saying, "Trust us. We are doing everything that needs to be done." But they were not. There was a bigger picture there than they were understanding apparently. As you know in a very recent court decision that the State is responsible and the water quality board is an agency of the State actually. I think that is an appropriate decision, because that was the biggest series of faulty decisions starting with the very early geological investigations that I have ever seen. It lasted for 30 years and all the time people kept saying, "Trust me. We are doing the right thing." The people that are responsible are public servants. It is our job as Members of Congress, first to respect the work that the public servants do, because I am not knocking them. I am a great believer in the highest quality of public service.

But do not let anybody say, "Trust me. We are doing the right thing," without getting a second opinion somewhere and that is all we are trying to do here.

Mr. YACOUB. I am not the right person to talk on that. On behalf of the Santa Ana Regional Board where the Stringfellow is but——

Mr. BROWN. Correct.

Mr. YACOUB. But at least one point I would like to mention, 30 years ago, I do not recall there was RCRA, CERCLA, TPCA, underground tank leaks, comprehensive site assessments, and site characterization. Those laws just began to show up in the 1980's. So, I share your concern, Congressman. Sites like Stringfellow, I think are more and in those days—this is public record—when a regional board wanted to issue a permit for a disposal site, the only budget allowed for them was $500 consulting fee given to a geologist to walk through the site and make a determination. It is very, very unfortunate. Your point is well taken. There was no geologic investigation at that site. Simply a fellow just walked through and did his best. He submitted a recommendation which was worth $500.

Mr. BROWN. I understood he only got $300 for that for 35 minutes.

Chairman TORRES. Mr. Yacoub, I appreciate your comments here and I have a very simple question to ask you. Why are you better, though, at finding the sources of pollution here in the San Gabriel Valley than EPA?

Mr. YACOUB. Better than EPA? It is really—I did not look at it that way. It is simply, you know, number one, we are a local agency to begin with. We have been in business since 1949, I believe. We have the knowledge and the know-how about the basin. As far as the staff resources, we did not have it, and EPA felt that the pilot program that we initiated with six staff, beginning in 1985 because of the incident of the well in Hacienda Heights, did pay off some results. The program appeared to be more cost effective than giving it out, let's say to a contractor. You heard about $10, $11 million dollars being spent.

Our cooperative agreement that we just signed in March 1989 calls for $600,000. It will support about 10 positions. The bottom line is it is cost effective and we are seeing results. EPA is seeing results. I am sorry to say that, yes, we are hurting some small businesses out there, but again it is a job we have to do. I would like to point out that the industry, the small businesses, large businesses, and generally speaking they have been very, very cooperative. There are cases as mentioned this morning that needs specific attention. We are looking into those. We are not out there to penalize these people. We want them to stay in business. There were similar recommendations, sharing the cost, this is the purpose—that is one of the purposes of this hearing. We hope some good recommendation comes out today.

Chairman TORRES. Mr. Berlien, in talking about his assessment of EPA and now you—I will ask Mr. Berlien. Mr. Berlien has the microphone now. I will ask him. Do you believe maybe they are just understaffed over there at EPA Region 9?

Mr. BERLIEN. No question in my mind that they are way understaffed. In my dealings with EPA in the last 3 years, there has been two people at the San Francisco office that are managing this whole project. You have a project where you are spending millions and millions of dollars and it all funnels down to two people making a decision in San Francisco. I think they could have 10 people working on this project and not be overstaffed. I think also they ought to have an office here locally. It is very difficult to deal with people in San Francisco all the time. It would be nice if they had a local EPA representative here in the San Gabriel Valley.

Chairman TORRES. Just a question of my colleague, Mr. Brown. I understand based on our figures here that the Stringfellow Superfund site has a total number of 15 people assigned to it. There are 15 staff people that are working on Stringfellow while the San Gabriel Valley has only 3. Are you familiar with this number of staff people?

Mr. BROWN. Obviously, we have five times the number of problems out there.

Chairman TORRES. We will probably hear more from the EPA people on this particular question. Mr. Brown, do you have any further questions?

Mr. BROWN. Yes; I want to get to one additional thing here. We hope the results of this hearing will be constructive and not just

merely critical because that is quite fruitless as you pointed out, and if there is understaffing and underfunding, why we ought to report that. Personally, I feel generally that the closer an operation is to the people involved, the more efficient it is going to be and I would agree with you, Mr. Yacoub in that connection.

But it does not always follow that that is the case. I want to raise one question about the degree to which you are using some sort of a centralized management scheme or centralized data processing, data bank operation to maintain control over the thousands—and I am sure that there are at least thousands of permitted tanks, sites, various things of that sort, showing dates in which they were put in and what they are supposed to be doing. Is there some sort of a effort being made to use the best management technique in order to achieve control over this huge mass of potential threats to the undergroundwater?

Mr. YACOUB. Excellent point and I think EPA recognized that several years ago and part of their cooperative agreement is not just providing us the staff but they have been very generous to give us a big computer. It is the data generated, as you mentioned from leaking tanks and clarifiers, you name it, on each facility will be plugged into a central data base management system in San Francisco. The computer that we are going to get from EPA will do the same job, conveying the data from here to San Francisco, and we, under the cooperative agreement, we have to report to EPA on a quarterly basis. There is a lot of accountability that we have to follow very carefully. So, that is really an excellent point and it is really talked about and it will be implemented. As a matter of fact, we are implementing. They have already put in CH2M Hill data in the system. The number of facilities that we have inspected are pretty much now in within that system, and the process will continue.

Mr. BROWN. That can be a powerful management tool, in many ways, as you know. You need to schedule inspections of these tanks at certain periods, when they reach a certain age. You need to be able to do that in the most expeditious and efficient way.

Mr. YACOUB. Another tangible advantage of that system, perhaps we may comfort some of the businessmen in the audience, what that system will do—let us say that we are investigating 10 people within the South El Monte area. They happen to be pretty much within the same neighborhood. So, the wells or the soil tests that we ask from one would help in evaluating the data generated from the other and hopefully that will minimize the requests that we made with respect to the number of wells, number of the bore holes and that should cut down on the expense of investigation. In addition to that, it should give my staff a better data to evaluate not necessarily an individual person, but that particular group within the area, and hopefully pass a more meaningful and fair judgment.

So, we look at that system and I fully agree with you, we have to move very fast. We do not have the computer yet, but it is somewhere on the road.

Mr. BROWN. I am sure the small businessman in El Monte and South El Monte that we heard testimony from this morning will

appreciate any effort of that sort to reduce the burden of their own participation in this program. Thank you.

Chairman TORRES. Mr. Rauh, we are not going to let you off the hook here. We have been going back and forth to Mr. Yacoub and Mr. Berlien. But speaking of expenses, you represent the State of California, the Department of Health Services and in your statement you mentioned that the State—the State is responsible for a 10 percent share for clean up or remediation. Yet you said that you are currently out of money. Am I correct?

Mr. RAUH. We are out of funds in terms of our Superfund—State Superfund bond which was specifically established to pay, in part the 10 percent matching share for any NPL site responsibility we have. But in terms of the next fiscal year, the next 12 months in the State fiscal year time, we do have allocated and before the legislature for approval sufficient funds for the two projects that require a 10 percent match to keep moving.

Chairman TORRES. Those being which?

Mr. RAUH. Those being Richwood and Suburban.

Chairman TORRES. I see. Baldwin Park?

Mr. RAUH. No; we have no money set aside for Baldwin Park at this time, but Baldwin Park is not at a point in EPA's assessment in which the State would be providing funding. I can digress for just a moment and explain that.

Chairman TORRES. Please.

Mr. RAUH. The way the Superfund process works is that EPA bears the cost for the remedial investigation feasibility study and designed parts of an activity. When they reach the point of construction and the State enters into a contract with them for that specific operable unit, and provides a 10 percent match for construction and operation and maintenance. With respect to Richwood, we have signed that contract and within 18 months, we will be responsible for the management or the operation and maintenance of that facility. Now, the State does not have to actually do that. That can contract with someone else to do it and it most likely will. But in that case, we do have the funds set aside and will be able to contribute our 10 percent for construction and for the first 18 months of operation.

In the case of Suburban, we are also very close. This summer we will be entering into a similar contract with EPA for similar types of services and the money is set aside there as well.

Chairman TORRES. One other thing, let me ask you to do here.

Mr. RAUH. Congressman, if I could just mention though, not to leave the committee with a false impression, we have money allocated and set aside in our budget proposal before the legislature at this point. However, the funding in the budget that has been approved by both the California Assembly and the Senate is not there for these particular—for one of these particular projects, for the Suburban project.

Chairman TORRES. It is not there.

Mr. RAUH. It is not there. We have a current bill—the administration has proposed a bill to augment the amount of money that is in the Governor's budget to incorporate continuing funds for our site mitigation program next year. That bill is being taken up as a separate legislative matter and will be heard tomorrow—I think is

the first committee hearing and it is being carried by Senator Art Torres.

It would include money for site mitigation, cleanup projects next year which Suburban would be one of those projects.

Chairman TORRES. Explain to us—to use the vernacular, explain to us in English, Mr. Rauh, the very interesting concept that you raised in your testimony, that of enforcement lead. Tell me what that is all about.

Mr. RAUH. What an enforcement lead means is that—I will explain it from the State's perspective because I am sure you will ask the same question of EPA. Traditionally, the State's approach has been to use our bond fund as a leverage over responsible parties in that we tell them when we first find a particular site, begin negotiation and develop an order directing them to clean it up, that if they are not responsible and come forward and take the actions themselves, we will spend State funds in cost recovery against them.

Traditionally, we do not begin amassing those expenses until we get to the construction or, in fact, even the operation phase of the projects. Under a cost recovery scheme, one of the first things you do when you first uncover a site, is investigate the responsible parties and immediately tell them that they should, in fact, come forward and take those actions. And you use all legal means to force them to take those actions before you spend State funds with one notable exception. Obviously, if there is an immediate threat to public health, an immediate threat to the environment, the State would not wait legal action before taking an immediate specific removal effort.

Chairman TORRES. But if that was not the case and they default how could you bring them to terms? What if they appeal?

Mr. RAUH. There are several different processes that we can use. One is an administrative process which ends up ultimately in the courts. The other would be to go to court directly to force them to—to compel them to take action. Neither of those processes are overly swift. They add something to the process. That has been part of the reason why we have used our bond funds when we ran against—run up against uncooperative RP's. However, there are other models in other States where by the use of treble damages which is allowable under the Federal statute, when you use a 106 order, that RP's seeing that they might be liable for three times the cost, have chosen to come forward much more readily than perhaps they have here. We are not sure. We are investigating that now. But under our new approach, we will use all of those remedies available to us, whether it is treble damages or other enforcement mechanisms through the court, with that one proviso, that we will not allow a health threat to continue without immediate removal action. Our program is predicated on, as you know, the protection of the public health. That is what drives us beyond any other matter of policy or law.

Chairman TORRES. Thank you very much gentlemen for you excellent testimony this morning and providing for us some unknown answers. We would like to excuse you at this time them. The hour draws near and we begin to listen to panel 5 which is represented

by Mr. Jeff Zelikson, the Director of the Hazardous Waste Management Division of EPA. Thank you again, gentlemen.

Mr. Zelikson, would you join us at the table up here. Thank you, Mr. Zelikson for being with us here today. I appreciate your taking time to provide our subcommittee with some relevant answers here we hope to illicit from you. I see you are joined by Jerry Clifford who we met earlier in Washington, DC who was back there a number of weeks ago and you are joined also by Heather Stone, one of your project staff persons.

You had asked a special request of the subcommittee that EPA be allowed perhaps more than just the customary 5 to 6 minutes of presentation, but perhaps would allow you 10 minutes and I think I see no objection to that. We would like to have EPA—15 is it? Any objection, Mr. Brown?

Mr. BROWN. No; I was just going to suggest that.

Chairman TORRES. Without objection, then, Mr. Zelikson, you may proceed for 15 minutes.

TESTIMONY OF JEFF ZELIKSON, DIRECTOR, HAZARDOUS WASTE MANAGEMENT DIVISION, U.S. ENVIRONMENTAL PROTECTION AGENCY, SAN FRANCISCO REGIONAL OFFICE

Mr. ZELIKSON. Thank you very much Chairman Torres and Congressman Brown. Nice to see you again. Congressman, actually it is a pleasure for us to be here even though I know that we are going to be a target for some very difficult questions. It does give us an opportunity to provide some background information on what we have been doing and to hopefully clarify some of the issues that I know are of concern to you and to the people in San Gabriel Valley.

I think it is particular opportune that we have—we are coming out with our long-term strategy in July and this hearing gives us a chance to provide that background as a backdrop really for that long-term strategy. I think we have heard already quite a bit of information about the uniqueness of the San Gabriel Valley problem. I can speak from the perspective of a Federal executive dealing with the Superfund Program and I can honestly say not only knowing about what we are dealing with here in region 9 which is California, Arizona, Nevada, and Hawaii, but that San Gabriel is really unique among Superfund sites across the country.

It is unique in its size. It is unique in its complexity. It does really present a super challenge for us, if you will and hopefully the Superfund will be up to it. Although without any question, the Superfund is going to need help from State and local governments to deal with it. One thing I want to say up front here and Congressman Brown mentioned this, we are, in fact, treating the valley as a single entity in dealing with this problem. I think that is a critically important issue because part of the reason that we find ourselves in this very difficult predicament is because others have not looked at the valley's groundwater as a single entity. Actually, I think some of the testimony that we have heard today really reinforces that.

We have heard from some local water officials who are concerned about losing their independence, about not being able to use

their own wells and to clean up their own wells, so that they can serve their own service areas. I think independence is nice, but I think what we have to realize is that the physical reality of the San Gabriel Valley is that it is on aquifer and that we have to treat it that way. As we begin to make huge expenditures of public and private sector funds, we had better be sure that those funds are managed efficiently and effectively to make sure that we do not aggravate the problem but, in fact, we get it resolved.

Mr. BROWN. Could I interrupt you just briefly just a moment.

Mr. ZELIKSON. Yes.

Mr. BROWN. I am very glad to hear that you are treating it as a unit, but I was disturbed in looking at the maps of the plume. There was one area in which it was indicated, I think, by Mr. Yacoub, that there really were not any test wells. There was no indication one way or another. I would hope that your overall management plan would try to delineate or to program a process by which we can determine just to what extent the entire basin may be contaminated, fill in those white areas either with information or indication that they are really not contaminated.

Mr. ZELIKSON. Correct; as I highlight some of these points and we can do it further in questioning, I will deal with that. Let me say also there has been a lot of concern and question about does EPA have a strategy? EPA has a strategy. Let me tell you what it is, because I think there has been a lot of confusion about that. First and foremost, on any Superfund site, as we have done here in San Gabriel, because we are consistent, we look at where people do not have clean drinking water to drink. We find out who those folks are and we provide clean drinking water. That is our number one priority, protection of public health. That is what we have done here.

The second thing that we do at any site and consistently we have done that here, is to be sure that we contain that contamination. Mr. Yacoub, I think, did an excellent job of describing what would happen if we allow the contamination from the San Gabriel Valley to enter the Central Basin. Not only would we have to deal with the contamination of the water supply that serves another million people, but we would have exacerbated the liability issues to the point probably of hopelessness, because we really do need to eventually make those who polluted this aquifer pay. If we start mixing the San Gabriel aquifer contamination with the contamination from the Central Basin, we will have a hopeless task on our hands.

We already have an extremely difficult one here in the San Gabriel Valley because of the way in which the water supply has been managed. It has been so intermixed that we have a very difficult job of drawing linkages between sources of contamination and the areas of contamination themselves.

In my testimony that you have, we highlighted where we have focused our efforts to provide clean drinking water and there has been a lot of discussion about the Richwood Mutual Water Co. where we have spent quite a bit of money to provide them clean drinking water. I suppose they would say that as long as they get clean drinking water, they probably do not care how much it costs but we are concerned about that cost. I know there is an article in the newspaper today about that, the relationship between cost of

the Richwood system and the Hemlock system. I will just point out one difference. When the Hemlock system is backwashed on a weekly basis there is no water supply in that community. I do not know exactly what their schedule is for backwashing, but EPA does not build systems that way. I suppose we can argue about whether or not we have this one too gold plated or whether or not the Hemlock system is really done with chewing gum and string.

But somewhere in between is probably the answer. Congressman Brown raises this issue about putting more wells in. We started out here by sampling the wells, the production wells that are already in place. One of the reasons that we have taken that approach is because of the depth to groundwater in the San Gabriel Valley, one set of cluster wells, which is what you need to get any information from here, cost $200,000. If we just put one per square mile, which is certainly not going to be sufficient, that is $40 million, just drilling wells. You have to get a sense of how enormous this problem really is.

We are not going to drill wells, willy-nilly. We are going to have to fill in the gaps very cautiously and expeditiously so that we can, in fact, describe the problem and also begin to draw those linkages to the polluters so that we can make them pay. There has been some discussion about—and I do not know that we really need to reiterate this, there is absolutely no question in my mind—and I know that that is what part of this hearing is about, but let me say it emphatically as somebody that has been in this business for 25 years, that implementation of the Whittier Narrows containment is absolutely the right thing to do.

Any suggestion of focusing on another area as a higher priority would not make sense to me. I think throughout all of this what has been pointed out and we would agree with is, that we are struggling with competing priorities, Stringfellow, Operating Industries, McColl, the Silicon Valley sites, just in our own region. But we are also at the EPA competing for a national pot of funds which has got a constraint on it, a constraint I might add, put on by the Congress that causes us to have to compete with Love Canal, Times Beach, and a host of other sites all across the United States.

We need, without any question, more support for this program and if we had more support, some of that additional support could certainly go to the San Gabriel Valley. The problem certainly deserves it. Let me hit a few other points here and then allow you to ask some questions.

There has been some concern—I say we have a strategy and I mentioned that there were the first two components, make sure people have clean drinking water, contain the contamination, and the third is, let us describe the overall strategy for cleaning up or for providing clean drinking water for the long term in San Gabriel Valley. That is the plan that we have coming out in July. Basically, just to demystify that, what that will be will be a list of other priority areas where we need to begin to focus on putting in new wells, treating water, beginning to provide for cleansing of aquifers.

The first priority for us in that would be the Baldwin Park, Azusa area. But let me also say how we are going to do that, be-

cause there has also been this issue of are we really going to make the polluters pay?

Chairman TORRES. Mr. Zelikson, before you go any further, you are elaborating now, you are announcing now, I assume officially, that come July, this year, this July, next month you will announce a new plan, a new strategy?

Mr. ZELIKSON. Yes.

Chairman TORRES. For the San Gabriel Valley?

Mr. ZELIKSON. Right; which will be a draft strategy which would—we would provide opportunity for people in the valley to provide input.

Chairman TORRES. Part of that plan takes into account, as you said, Baldwin Park?

Mr. ZELIKSON. Correct.

Chairman TORRES. Azusa did you say?

Mr. ZELIKSON. Yes; the plan—it was always our intention to include those as the next priority but again, following our strategy which is to deal with cleaning up the wells where people do not have any other alternatives for their water, containing the contamination and then moving into the next area of priority. That was always the next one. Again it comes down to if we had unlimited staff, we could be having people working on all of these things at the same time, but we do not. So that we have set our priorities consistent with our overall Superfund strategy which is, as I have outlined.

Now, one thing I want to say so that it is clear here, we have been back actually negotiating with EPA in Washington about getting some additional funds for this project, but the focus in the Baldwin Park/Azusa area is going to be to look to make the polluters pay in the first instance. We do have some people, some companies in that area that we are going to bring to the table and try to get them to participate in the remedial investigation and the feasibility study in the first instance. What we have done so far, because of the need to expedite actions for providing clean water and for containing the contamination is that we have spent the Superfund money directly out of the Superfund. That does present an obligation for us to cost recover that money, which we also are going to pursue and again, that has been part of a request that we asked from our headquarters.

So, we are—just to clarify, we are not going to be funding out of the Superfund clean up in that Baldwin Park/Azusa area but we are going to be using our enforcement powers to compel the private parties to do the investigation. There has been a lot of discussion and we agree completely——

Chairman TORRES. This is the enforcement lead concept right?

Mr. ZELIKSON. Yes; one of the things that I think is clear to us and hopefully all will agree, is that ultimately we are going to need a unifying body to manage the groundwater here so that, in fact, as we build these facilities, we will be able to manage the availability of clean water and the cleanup of the aquifer in a coordinated way. With the kind of disjointed system that we have where each independent water company does what is in its best interests it will not get the result. We need to have a unifying agency to deal with that. Mr. Yacoub has already talked about their very successful

effort—I think it was somehow was not clear, that we are now funding that effort. Perhaps that was clear.

That we see the regional board and our efforts to be hand in glove as an extension of the overall efforts in the valley and using Federal Superfund funds to do that. We think getting—as Mr. Yacoub explained, a lot more return because of their knowledge of the basin. They have a very effective program to identify sources and we will be using that information as we go and develop our own enforcement activities.

Let me just talk briefly about the impact on small businesses. One of the unfortunate aspects of groundwater contamination is it does not take very much contaminant to contaminate huge volumes of groundwater. One gallon of contaminant can contaminate a billion gallons of groundwater. With the number of small companies that handle volumes of chemicals in the small amounts, if they do not handle them judicially, in fact, can create huge problems. One of the concerns that small business should have—and we heard from one individual today—is that when we get more aggressive and we want to make the polluters pay, it really will come out that some of the polluters will be small companies and small businesses and some will be large. There is really no way of knowing until we try to sort this out whose share is going to be greatest. So, I do have a concern about the impact on small businesses when we begin to get more aggressive as the regional board already is and as we will be getting more—one of the things that aggravates this issue is that the Superfund law is very difficult on individual companies because of the joint and several liability provisions.

So, if we begin to identify companies that have contributed somewhat to the contamination, they have a liability for the entire valley cleanup in some way. This, as you can imagine, would cause great concerns for any company, especially small ones. So, let me summarize this now briefly and say that we at the EPA would always want to do more and we would like to do it more quickly in terms of cleaning up situations like San Gabriel Valley or Stringfellow or any other area. We have a very complex job of trying to manage simultaneously in our region over 100 Superfund sites. We have some practical limitations in that we are competing with other sites across the country for this money and that there in fact is a finite amount to be distributed.

I think it is also important to underscore that the complexity of problems like San Gabriel should not be underestimated, a very complex situation and it has been 50 years in the making. EPA has got the ball for the last 5 years. I personally feel like we have done a good job to this point. I think we have a tremendous amount yet to do. The magnitude of this problem is obviously going to require more than just Superfund. We need help from the State and from the local governments. But I am not embarrassed to say that to date we have committed to spend more than $100 million, more than $100 million dollars in the San Gabriel Valley with our commitment to proceed with the Whittier Narrows project.

Across the United States—how are we competing with other sites? There are only one or two other sites in the entire United States that could say that their advocates, if you will, in the regional offices of EPA have been as successful as we have been in San

Gabriel Valley. So, I actually feel quite proud that we have been able to leverage a $100 million of the national money in this one valley. We need more. We will do whatever we can to inform the debate and to do our part to help solve the problem.

[Mr. Zelikson's statement may be found in the appendix.]

Chairman TORRES. Mr. Clifford, do you have any prepared testimony or——

Mr. CLIFFORD. No; we will just——

Mr. ZELIKSON. We will just respond to the questions.

Chairman TORRES. OK, fine. Mr. Zelikson, I appreciate your taking the time to prepare this testimony for our subcommittee and for all of us here today. I certainly understand the constraints that all areas of Government are working under in this era of limited resources. The point is well taken.

For purposes of clarification, I had my staff prepare this chart and I think you have a copy of it now. The audience can see the chart. It is that one over there on my right. It is a flow chart that shows the activities which have been undertaken by the agency, and when they were completed. If you do not object, I am going to enter this chart into the record, because I think that it does an excellent job really of laying out the sequence of events in the San Gabriel Valley.

[The chart referred to above may be found in the subcommittee's files.]

Chairman TORRES. Your testimony was essentially divided into three areas. So, with your indulgence, I would like to explore these three areas in turn. First, in terms of planning and implementation of remedial projects to solve some of the most serious water problems, I would like to explore the agency's activity as—or activities as they relate to the Richwood Mutual Water Co. Why do you think it took so long, from 1983 until 1989 to build a treatment facility for the Richwood Mutual System? Why do you think it took so long?

Mr. ZELIKSON. I think that there are a number of reasons. I will give you a couple. I think first of all, as others have outlined, the Superfund is a complex program. It was a national program. It was enacted in a time when the Congress and the executive branch, the trust level was not as high as perhaps it could be and there was a lot of provisions that have been built into the statute and regulations which make it a complex and somewhat bureaucratic program. So that does add costs right away. Beyond that, I think that one of the things that has happened here at Richwood is because we were trying to build a complex system in a small area that we ran into some engineering difficulties getting all the equipment into a small area.

The third thing is and I think this is a good thing, but it is one of the basic cornerstones of Superfund, is we involve a lot of people in the process and as a result of public input, we had what we thought was the best solution, when we got input from the community there were some other aspects to the problems such as noise from stripping towers and what not that caused us to change our solution there. So, there was a number of reasons why that took a long time. Probably, too, because this program is still in its adolescence, if you will. It is still maturing. The Superfund Program has

really only been around a relatively few years, and I think we are learning as we go, unfortunately, but I think we will get better as time goes on, but probably we have learned some things about this Richwood project, which if we had to do another one, we would do better.

Chairman TORRES. Do you think that considering the fact that the Hemlock Mutual Water Co. was able to install the same system, a carbon absorption system for $40,000—that is almost what $2 million spent on the Richwood, right?

Mr. ZELIKSON. One point three. I would not——

Chairman TORRES. One what?

Mr. ZELIKSON. One point three million dollars.

Chairman TORRES. One point three million dollars.

Mr. ZELIKSON. I would not want to be serviced by the Hemlock system and have to worry about my water supply being turned off on a regular basis to backfill. The system does not have the reliability built into it that ours does. It does not meet any of the design standards that would be required, et cetera. I think there really are probably two ends of the spectrum in terms of what you would want. We could probably build a system today for less money than we spent for Richwood, but the Hemlock system is not the panacea.

Chairman TORRES. Mr. Brown, I would yield to you some time for questions.

Mr. BROWN. Mr. Zelikson, the question of identifying PRP's has come up in a number of testimonies, a number of statements by the witnesses. This is, as you have indicated, one of the areas that EPA gives a high priority to. Is it correct that we have not identified any PRP's in this basin and if so, what are the prospects for the future? I have a follow-up question after that.

Mr. ZELIKSON. Our efforts today have been through the funding of the regional board that has identified numerous sources which are all potentially responsible for the basin-wide contamination. What we are doing now is coordinating our PRP, our responsible party search with the regional board now to begin to focus on for example this new area, the Baldwin Park and Azusa area to put us in a position to hold the private party's feet to the fire, if you will, for the cleanup of the regional contamination. But, I think we feel the source work that the regional board is doing is definitely related to PRP—to the PRP investigation and we will be doing more of that.

One of the things that is clear here is because of the number of sources and the complete intermixing that has occurred in the basin, that our burden of proof to bring somebody to the table and make them own up to their responsibilities is going to be relatively high. So, it is going to—in order for us to really be successful in bringing PRP's to the table, we are going to have to spend even more money drilling more wells, actually almost an unprecedented amount in terms of any other site that I am aware of so that we can, with a straight face, bring responsible parties to the table and say, "We have a legitimate linkage here, pay."

Mr. BROWN. My follow-up question was going to be, do you think this is a useful expenditure of money?

Mr. ZELIKSON. Let us put it this way. We have already spent quite a bit of money from the Superfund. We have been in discussion with the Department of Justice and our own enforcement people in Washington. None of us are willing to say that it is—we cannot make these connections and get the money back. We are going to give it the best shot that we have. I think the ultimate answer is going to be with a Federal judge.

Mr. BROWN. Here again, you can point the finger to the Congress because we said, "Find the responsible parties and do everything you can." You are attempting to carry that out. I will not say anything about the success so far but you are attempting to carry it out. Now, the question that I have as a Congressman who likes to look back and say, "Did we do the right thing," because very typically we do the wrong thing, is this a fruitless task and a waste of taxpayers' money, because for one thing, to find the degree of liability for any one party in the huge mess that you have here, is almost an impossible task. In order to identify that party and say, "You contributed one seven thousandth of 1 percent to this mess," you have an unprovable job there.

Even with the larger polluters, you are going to have a very difficult time, because you do not know the total amount of the pollution. You do not know the total number of polluters. You have no objective way in which you can identify the proper proportion to soak any one person. On top of that, you have the possibility of getting into something like the judge just ruled on Stringfellow, that it really was the State all along who contributed to this.

You have spent umpteen million dollars—in Stringfellow, I think they identified all the PRP's and assigned them their portion of the cleanup and then judge said, it will not work because the State was responsible for letting them dump and even contributed to the contaminant level. Now, we can waste an awful lot of money going through that thing again on an even bigger scale which is what you have here.

Mr. ZELIKSON. Right; just if I can comment on that.

Mr. BROWN. I want you to comment and tell me if somebody at EPA is thinking along these lines and just wondering, kind of stewing about what to do.

Mr. ZELIKSON. No.

Mr. BROWN. The appropriate conclusion that you really do have an impossible task. You should advise Congress of that and get a more manageable task.

Mr. ZELIKSON. I agree. Let me tell you what we are doing because I think it may ally some of your concerns. We are currently developing an enforcement strategy with the Department of Justice and our own folks to try to make a case to recover the money that we've already expended and it will get into just the issues that you raised. We are going to focus that effort and we are going to bring it to a head quickly without spending huge amounts of money. We need to do that to test whether or not we have, in fact, a futile situation on our hands. No one is ready to say that it is futile yet, but I think we are smart enough at this point to say, we might have to say that in the future. Then I think we will come back to a forum like this, like you suggest and say, "It is not possible here. The situation is just too complex. We need another way to fund the solu-

tion to this problem." So, we definitely have that in our minds, but at this point, we are not ready to give up.

Mr. BROWN. I hope you will complete your analysis on this in the near future, because as you proceed, you do put a burden on a lot of businesses to defend themselves in this situation. A lot of lawyers are going to get rich and have already. While I have nothing against lawyers getting rich, sometimes I do like to spread the wealth around a little. In the case of small business, you may endanger the existence of that small business. It may have to go through bankruptcy and in many cases, if you find a sizeable liability, they are going to be judgment-proof. They do not have the assets to cover and you are going to go through an awful lot of effort to get very little return in some cases.

I think that ought to be factored into your analysis of whether or not we need a more reasonable policy here that will protect the public welfare.

Chairman TORRES. Mr. Zelikson, I would like to pursue a question. It has to do with your statement. I did not hear it, but I see it written in your statement. You say, "We are now in the process of drafting a long-term management plan that will outline a manageable sequential program for developing an overall groundwater management plan for the San Gabriel Valley Basin over the next few decades." That is on page 14. You know, I work for the Government along with Congressman Brown here and we do not understand what you are saying here. I got lost in that particular sentence. It sounds like to me that you are in the process of developing a plan in order to develop a plan. What does that mean exactly, that particular statement?

Mr. ZELIKSON. OK, that—I was trying to make that point before and it is that—I guess that wording is not clear. I will accept that. Simply stated this management strategy that we are about to put out in July will be a list of projects like Whittier Narrows for example. We will have other projects. Baldwin Park and Azusa will be an area identified as a No. 1 priority for our investigation, followup, enforcement work, et cetera. There will be a second area which will be identified and so on and so on. It will be very clear, not bureaucratic. It will describe where we are going to focus our next priorities and also begin to identify issues of how we are going to manage the cleanup and also the providing of clean drinking water as we go through the development of these projects.

It will also identify where we need help from local and State government. So, it is not going to be bureaucratic. It will be straightforward and it will tell us where to go next.

Chairman TORRES. Will it include the criteria and how that will be selected?

Mr. ZELIKSON. Yes; it will include the criteria and again, we will bring that to the people in San Gabriel Valley to provide input to see if that makes sense, very much like—in terms of the framework that we have set up so far, which is public health protection is the No. 1 priority, containing the contamination, and then beginning to cleanse the aquifer and find the polluters so we can make them pay.

Chairman TORRES. I want to followup on the previous question by Congressman Brown. The investigative work that you talked about,

I realize that some of your source investigative work may be in a State where it is what we call enforcement confidential and you cannot really talk about it. However, I wonder if you could please answer the following question. You listed in your testimony all sorts of letters that you have sent to all sorts of companies which may or may not have used chlorinated solvents and which might or might not have polluted. If they did use the solvents—that was the nature of the letter, can you tell us or rather than them tell us based on the testimony, that the Regional Water Quality Control Board is now in charge of the source investigation work. So, what I am asking is, why cannot the agency manage that work themselves and perhaps you could explain to me exactly what you found out with all these letters. Are you able to do that?

Mr. ZELIKSON. Yes; the real issue is who is in the best position to follow up on the problems associated with these individual sources. We made the judgment that the regional board, because of their knowledge of the area and because they already have an active program, is a prime agency to continue that effort and in making that judgment, we provided them with funds and we expect to continue to provide them funds over the next several years to the tune of about $1 million a year, to fund a large staff to continue that source investigation work.

We are also going to be doing some of that on our own if we can get the additional funding out of the Superfund. Part of the reason that we were back in headquarters a couple of weeks ago when we met with you and your staff, was to present this San Gabriel situation to the national folks at EPA and say, "We need some additional funds to identify responsible parties, to recover the money that we have already spent and to get them to pay up in the first instance for some of these future operable units, cleanup areas." So, so far we are getting a good return on source identification from the regional board. We have asked for additional funding to do our own. As far as we are concerned, we will continue to address what is the most efficient way to continue that effort. It will probably be a combined effort between ourselves and the regional board.

Chairman TORRES. I have heard of management setasides. What is the nature of this kind of fund and is that money available for the San Gabriel Valley?

Mr. ZELIKSON. That is part of what we were asking for when we were back in Washington, to explain the severity of the problem in San Gabriel, to make sure the people who are allocating the money on a national basis understood this problem and so that we could get more than our share of that national setaside.

Chairman TORRES. That is an important source of finance, I would say for this particular type of work. What can we—what can I as a committee chairman, can Mr. Brown, a number of us in the California delegation, the San Gabriel Valley Congressmen, what can we do to help you get that money?

Mr. ZELIKSON. I think certainly to write to our headquarters. One of the things that will come out—I mean you and Congressman Brown may be competing here between Stringfellow and San Gabriel Valley. We felt, however, that looking at all of the problems that we have and the state at which the various sites are at in our region, that it was appropriate for us to raise the San Gabriel issue

as the highest priority for getting additional enforcement funds and that is the way we presented it. So, we have asked for it. Even though Congressman Brown is quite frustrated with Stringfellow, it is actually in a lot more advanced stage of cleanup than we have here. We have responsible parties identified. The issues have been litigated. It is behind us. The liabilities are there. We have treatment plants operating and producing cleaning water, et cetera. So, and we have also been funding the State Department of Health Services where that number of 10 or 15 people come from that has been helping that effort. So, I think San Gabriel deserves the priority that we emphasized when we were back in Washington and we got a good reception. I think that the folks that are going to be making that decision would like to hear from you and they have a difficult decision, because there will be other regions coming in, other sites that will be clamoring for more. We just need to do our best in the competition.

Chairman TORRES. Mr. Brown?

Mr. BROWN. Can I comment?

Chairman TORRES. Surely.

Mr. BROWN. At this point, I concur with your analysis of the situation as far as Stringfellow is concerned. I think we have come a long way in curtailing the detrimental effects at that site. I am pleased at that. What, of course, we sought to avoid is the possible contamination of the Chino Water Basin which supplies about maybe 400,000 or 500,000 people with water. If that ever happened then we would be in the same position as San Gabriel Basin is in. But we will not be in that condition because as you indicate, the Stringfellow cleanup is well along. Of course, in another sense, that is a very simple problem compared to what you have here, one site, pretty well categorized, all the main parties identified. But we are still at a stage where we do not have a final cleanup plan there and we do not know how much it is going to cost.

Of course, we always expect more and faster than we are able to get. That has been a part of my disappointment. I have been working on that site for 18 years and I would like to see something happen there.

Mr. ZELIKSON. Just to squeeze this in, we will have a final cleanup plan for the Stringfellow site before the end of September and I think we have gotten sufficient public input now that we feel like we have a consensus on what that should be. I want to mention, just to take another half a second on this, that case that holds the State liable, actually, I think that raises all kinds of difficulties on the one hand. On the other hand, it does, I think provide the opportunity for a breakthrough in negotiations to get the private parties to pay for that cleanup. So, we will see. Maybe that will be a blessing in disguise.

Chairman TORRES. Thank you, Mr. Brown, for that good comment. Another question of consultants. I would like another question. I understand that it is the intention of the EPA to remove the prime contractor CH2M Hill that we have heard a lot about today, from the San Gabriel Valley project. Is that so and why?

Mr. ZELIKSON. We have not made that decision yet. But let me explain to you what the predicament is because it is really—it is one element of this overall issue of competing for other sites. As we

move in to deal with more and more sites, in our region where we use contractors to support us, find that there is more work than CH2M Hill can provide for services. There is just more work. So we need to add more consultants to our payroll so that we can deal with these additional sites.

What has happened is CH2M Hill has been involved with just for argument's sake, let us say 10 projects of which San Gabriel is one. We have a choice to make. We can either switch the other nine projects to new consultants and run the same kind of concern that we would have here in San Gabriel which is changing horses midstream if you will, and having the down time of reeducating a new consultant, or we could do that for San Gabriel. We have not made that decision yet. But it is clearly a tradeoff. Some of the sites will suffer because we have to add more consultants. Our original thought, as we were looking at this, that rather than cause this disruptions since San Gabriel takes such a large amount of our resources, contract resources, rather than disrupt 10 projects for example, maybe it would be easier just to disrupt the one. We are going to reconsider that because of the concern here, but I am not sure how that is going to come out, because it is clearly a tradeoff.

Chairman TORRES. I see. Well, Mr. Zelikson and Mr. Clifford, Ms. Stone, I want to thank and all of the other panelists that have appeared here today, including my good friend, Congressman George Brown who has come from a little distance to be with us today and indeed his involvement here was important given the fact that he has experience with a major Superfund site problem, Stringfellow. I want to thank the people in the audience for being here again as I said, coming from all walks of life and are concerned citizens wanting to know about this problem.

As I said in my opening statements, we need a groundwater summit really, a place where we can sit down, local, county, State, and Federal officials and really map out a strategy for the preservation for our groundwater resources. I think that now is a good time to begin here. This does not mean that it all ends because this hearing is over. We do not just go back to Washington and you just do not go back to your homes and offices. It means that we have a lot of work ahead of us. My subcommittee will continue these types of congressional field hearings across the country. I wanted to begin here because this is where the major problem is, but it is not restricted just to the San Gabriel Valley. It is across the country. But we will continue this and we hope that by doing this, we can reach a resolution, some of the questions that were raised by people here today and I know that we are in for a long fight, but together we are going to do it.

This meeting is now adjourned. Thank you very much.

[Whereupon, at 12:45 p.m., the subcommittee was adjourned subject to the call of the Chair.]

APPENDIX

STATEMENT OF THE

EAST VALLEYS ORGANIZATION (EVO)

BEFORE THE

SUBCOMMITTEE ON ENVIRONMENT AND LABOR

OF THE

COMMITTEE ON SMALL BUSINESS

U.S. HOUSE OF REPRESENTATIVES

BALDWIN PARK, CALIFORNIA

JUNE 5, 1989

Names: John Korey
Chair, EVO Toxics Task Force

Carol Montaño
Member, EVO Toxics Task Force

Rev. Msgr. Peter Nugent
Pastor, St. John the Baptist Church, Baldwin Park

Organization: East Valleys Organization (EVO)

Address: 4428 N. Stewart Avenue
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Background:

The East Valleys Organization (EVO) consists of 13 Catholic, Protestant, and Jewish institutions in the San Gabriel and Pomona Valleys with a total membership of some 35,000 families. The purpose of EVO is to build local community leadership so that people will be empowered to control the issues and institutions that effect their lives.

Since its founding in December of 1986, EVO has been involved in a variety of issues in response to the needs and interests of its membership. At the state level, we have labored successfully to raise the minimum wage and to ban assault rifles. Locally, we have worked to demand the cleaning up of neighborhood grocery stores, to improve police-community relations, and to combat crime and drugs. For 1989, EVO has identified the problem of ground water pollution as a top priority.

In brief, our position on this issue is that, despite years of study by various governmental agencies, little has been done to either identify the responsible parties or to clean up the mess they have created. We agree with Congressman Esteban Torres that "the Environmental Protection Agency has been very slow in dealing with this problem," and are encouraged by his pledge to "see that this is no longer the case."[1]

The Problem:

Pollution of ground water in the Main San Gabriel Basin of Los Angeles County was first discovered in late 1979. At that time, the Aerojet Corporation found significant amounts of trichloroethylene (TCE), a solvent, in one of its wells in Azusa. Subsequent testing of wells throughout the basin by the California Department of Health Services showed that the contamination at the Azusa well was not unique, and that the problem was widespread.[2] It remains so. Depending on the standard used, 69 to 86 out of 407 wells tested are known to contain unacceptably high levels of TCE

[1] "Torres Hopes to Spur Water Cleanup," San Gabriel Valley Tribune, February 2, 1989, p. B1.

[2] California Legislature, Assembly Committee on Environmental Safety and Toxic Materials, "San Gabriel/San Fernando Valley Groundwater Contamination Chronology - December 1979 - May 1988," pp. 1-2.

and/or other chlorinated solvents.[3] A recent report by the State Water Resources Control Board found water in the valley to be the worst in the state. Based on a scale designed to measure degree of contamination, the San Gabriel Valley received a rating of 530. The next worst area, in western San Bernardino County, had a rating of 212 points, while the San Fernando Valley took third place with 202 points.[4]

Solving the problem will require 1) identification of sources and 2) clean-up of existing contamination. The two components are related, not only because source identification can help prevent pollution where violations of proper procedures are on-going, but because the law provides that parties responsible for contamination can be made to help pay for clean-up activities.

Source Identification:

Efforts to date at source identification have included the following activities by the U.S. Environmental Protection Agency

[3] State Water Resources Control Board, "Hearing on the San Gabriel Valley Ground Water Problem," El Monte, California, June 28, 1988, pp. 21-22. (Testimony of Heather Stone, Project Manager, U.S. Environmental Protection Agency.)

[4] "SGV Groundwater Still Worst in the State," Foothill Inter-City Newspapers, March 22, 1989, A-6.

(EPA) and the California Regional Water Quality Control Board (RWQCB):[5]

EPA

1983-84	Sent requests for information to 88 solvent users deemed to be possible sources of contamination.
1986-87	Reviewed files of 49 suspected polluters, including solvent users and landfills.
	Conducted site inspections at six facilities.
1987-88	Issued requests for information to 208 additional facilities.
	Issued follow-up information requests to 12 "high priority" sites selected from the 88 contacted in 1983-84.

RWQCB

1980	Conducted a survey to identify major sources of pollution.
1986	Began the AB 1803 Follow-up Program. This program includes door-to-door surveys of potential solvent users in the areas surrounding contaminated wells, with follow-up investigations of suspected polluters.

Thus far, however, none of these inquiries has resulted in identification of or action against any responsible parties.

We have been asked to comment on the process used by the EPA to deal with the contamination problem. Our response is that there has been a great deal of process but, as far as source identification is concerned, little product.

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[5] U.S. Environmental Protection Agency, Region 9, "Record of Decision for Suburban Water Systems Bartolo Well Field Operable Unit," September, 1988.

Aquifer Clean-up:

The record on actual clean-up activities is only a little better. To our knowledge, the EPA has only three "operable units" in progress:[4]

The first of these, at the Richmond Mutual Water Company, is designed to clean up a system serving 200 connections in El Monte. The second, at the Suburban Water Systems Bartolo Well Field, will treat water at four wells. To keep these projects in perspective, we note that in 1980 the California Department of Health Services at that time reported that it had been necessary to shut down contaminated wells serving about 400,000 customers![5] The two projects address only the most severe problems in the valley: in the early 1980s, Richmond customers began to receive notifications that their water was contaminated, and were advised to use bottled water or to boil their water outdoors before drinking it.[6]

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[4] State Water Resources Control Board, "Hearing...," pp. 33-34. (Testimony of Heather Stone, EPA.)

[5] California Legislature, "Chronology," Attachment 1, California Department of Health Services News Release 6-80, January 17, 1980.

[6] Ibid, Attachment 4, Memorandum to consumers of the Richmond Mutual Water System, "PCE Content in Your Water Supply," n.d.

The third "operable unit" is the Whittier Narrows project. The primary purpose of this project, according to the EPA, is not to clean up the water supply in the San Gabriel Basin, but to contain the problem so that it will not spread downstream into the Central Basin. We have no wish to share our misfortune with our neighbors. We do, however, expect corrective actions that go beyond containment and small-scale "hot spot" clean-up efforts.

SUMMARY AND CALL FOR ACTION:

Regarding the needed plan of action for dealing with ground water pollution, a recent document issued by a state Assembly committee concluded:

> Thus far, such a plan of action has not materialized. The contamination continues to spread, the sources remain a mystery, and the known plumes of contamination are not being pumped and treated.[9]

The same document expressed concern that the water pollution problem in the San Gabriel Valley is being written off as "beyond the scope" of the Superfund program.[10]

EVO shares these concerns. Almost a decade has passed since the problem of ground water contamination in the valley was first identified. EVO is frustrated that so little action has taken

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[9] Ibid, p. 8.

[10] Ibid, p. 11.

place to identify the responsible parties and to undertake comprehensive corrective action. We are worried that the very magnitude of the problem has discouraged decision-makers from taking the bold initiatives needed to address the problem.

EVO will be holding its Annual Assembly on Sunday, July 16, at Pasadena City College Auditorium. We have written William Reilly, EPA Administrator, inviting him to our assembly. We renew that invitation today. EVO calls on Mr. Reilly to bring to the assembly the names of the parties responsible for ground water contamination in the San Gabriel Basin, and to send these parties a "clean-up bill" for their share of the cost of restoring the quality of our water.

Finally, EVO today requests that this body formally join us in inviting Mr. Reilly to come to the San Gabriel Valley on July 16 to respond to our concerns. We do not need to wait for an "Exxon Valdez" scale disaster to occur in our valley. We do need creative and aggressive leadership now.

BEFORE
UNITED STATES HOUSE OF REPRESENTATIVES

ENVIRONMENT AND LABOR SUBCOMMITTEE
OF THE
COMMITTEE ON SMALL BUSINESS

Field Hearing on Management
of
San Gabriel Valley Superfund
Sites I-IV

Testimony
of
Wilfred R. Baca
Hacienda Heights Improvement Association

June 5, 1989

99-548 O - 89 - 3

Testimony of Wilfred R. Baca
Representing
HACIENDA HEIGHTS IMPROVEMENT ASSOCIATION (HHIA)

HHIA BACKGROUND

The Hacienda Heights Improvement Association was formed in 1948. It became an Incorporated Public Benefit Nonprofit Corporation in 1955. Its purpose has been and is:

> **"To foster and support those projects of improvement that will make Hacienda heights a better place to live;" and,**
>
> **"To unite in interest all of the property owners and residents of Hacienda Heights for the purpose of creating (non partisan) community interest, and to effect a combined influence on matters pertaining to the development and welfare of Hacienda Heights."**

Our membership is currently about 800 families strong and was about 1000 in 1985 when we became involved in the San Gabriel Water contamination issue. We have been active in many local issues as our name implies.

However, during the last ten years, in order to protect the interests of our community of necessity , we have had to deal with regional environmental issues of air, land and water contamination. To that end, we formed an Environmental Improvement Committee. This committee has a Water Quality and a Waste Management subcommittee. I have been involved as chair of one or more of these committees since 1983.

PERSONAL BACKGROUND

I hold B.S. in Civil Engineering from New Mexico State University. I did two years of post graduate studies at the University of California, Los Angeles. I have 27 years of experience in civil, structural and mechanical engineering. For the last thirteen years, I have operated my own consulting firm of Structural Specialists, Inc.

Since 1980, I have become active in environmental issues relating to waste management, air toxics, water contamination, toxic waste incinerators and garbage incinerators. I was a co-founder of **California Alliance in Defense of Residential Environments (CADRE)** in 1983 and **Work on Waste/USA** in 1987. I am a member of the Board of Directors of the **Coalition for Clean Air**.

WATER CONTAMINATION PROBLEM IN HACIENDA HEIGHTS

The HHIA involvement with water problems began quite suddenly on October 4, 1985. The California Department of Health Services (DOHS) forced the San Gabriel Valley Water Company, after many months of negotiations, to give notice to the public that some of its 5 wells were contaminated with 1,1-Dicloroethelene (DCE). This notice affected 5,300 homes and businesses in Hacienda Heights who had no other source of drinking water.

This sudden, unexpected and sometimes contradictory action by the public agencies created havoc in the entire community of some 16,000 homes.

The HHIA organized a **TOWN MEETING** for October 9, 1985. We distributed some 20,000 flyers throughout the community at shopping centers, churches and through the schools. Over 1500 people attended the meeting. Virtually all the invited political representatives attended. The water companies and DOHS attended. The Environmental Protection Agency (EPA) was NOT THERE.

The public was angry, upset and looking for answers. They got very few. However, they generated a lot of questions. The people of Hacienda Heights and the San Gabriel Valley are **still waiting for answers** to most of the really important questions. I have provided your committee staff with a compilation of those questions from 1985. Perhaps your investigation here today will prompt a few more responses.

Many people no longer believe the public agencies will or can do anything about the contaminated water. A good indicator of the lack of confidence by the public in the tap water quality is the tremendous growth in the use of bottled water and point of use treatment systems in the home.

The use of these alternatives in the homes in Southern California, according to Pacific Water Quality Association data, is over 50 percent. An informal poll taken in Hacienda Heights indicates that bottled water use or home treatment has grown from 35 percent to almost 60 percent in the last four years. That is an increase of over 4,500 homes or 18,000 people in Hacienda Heights alone. According to a Los Angeles Times survey done in the fall of 1988, there is a strong economic correlation with the avoidance of tap water use for drinking purposes. That is, the higher the income level, the more likely it is a person will use bottled water or home filters.

WHAT HAS HAPPENED TO OUR WATER SINCE 1985 ?

The short answer is, "not much." But let me tell you what the public agencies in charge have put forth to the public.

The San Gabriel Valley Water Company drilled a new deeper well at the same location that was not contaminated. Now it can blend the water to meet the allowable limits.

The DOHS reviewed the health standards for the allowable levels of DCE in drinking water. Not surprisingly, the DOHS **increased the value from .20 to 6.0 parts/billion**. All previously contaminated wells now pass. Public confidence sank to new lows.

The EPA signed a **"Cooperative Agreement to spend 402,000 dollars"** on a **"Community Relations Plan and Technical Assistance"** with the Upper San Gabriel Valley Municipal Water District.

The EPA in a letter to Congressman E. Torres on October 21, 1985, promised that the Supplemental Sampling Program (SSP) would be released in December, 1985. It was finally released in May, 1986.

The EPA also promised to release Phase I of the Remedial Investigation/Feasibility Study (RI/FS) at the same time. Again, EPA combined some of the work into the SSP and has not yet released any document that could reasonably be called an RI/FS.

There has been no visible accounting of the search for **RESPONSIBLE PARTIES**. Based on documents that I have been able to read, it appears that the EPA has abandoned the search for responsible parties in Area 1 and Area 2 in the Azusa area. These are the largest plumes and have caused the most impact in the number of water wells closed.

The EPA has given the Regional Water Quality Control Board (RWQB) large amounts of money for further responsible party search efforts. It now appears that the RWQB will concentrate on looking for responsible parties **downstream from those plumes**.

The EPA, without any justification, has elected to concentrate in the Bartolo Field Wells and the Whittier Narrows area for solving water contamination problems.

ADEQUACY OF THE CLEAN-UP PROGRAM

Your invitation asked for comment on the management generally of the Superfund Sites and on the adequacy of the clean-up program. I will deal with both subjects together. I have looked far and wide for the definition of the management strategy and a description of the clean-up program.

The first impression is that there **"is no plan"**. The public and others keep asking:

"WHERE'S THE PLAN,

WHERE'S THE PLAN,

WHERE'S THE PLAN...."

The public has not been made aware of the existence of any "general plan" or strategy that is being used by EPA to guide its efforts. In fact, upon further investigation by myself and others, it appears that the work of the consultants and other participants is caught in an endless loop...much like a dog chasing its tail.

It seems like the basic scope of the "Remedial Investigation/Feasibility Study" itself begats more investigation and more study. There seems to be no higher management authority in charge to step in and say, **"Enough already, let's move to the next task"**.

The public has been bombarded by a complex of alphabet soup agencies;

EPA	Environmental Protection Agency
SWB	State Water Board
RWQCB	Regional Water Quality Control Board
DWR	Department of Water Resources
DOHS	Department of Health Services
LADWP	Los Angeles Department of Water and Power
LACDHS	Los Angeles County Department of Health Services
MWD	Metropolitan Water District
USGVMWD	Upper San Gabriel Valley Municipal Water District
USGVWA	Upper San Gabriel Valley Water Association
SGVMWD	San Gabriel Valley Municipal Water District
MSGBW	Main San Gabriel Basin Watermaster
SGRW	San Gabriel River Watermaster
PBWA	Puente Basin Water Agency
PBW	Puente Basin Watermaster

It may interest you to know that six of the last seven agencies mentioned above are for all practical purposes the same entity. These agencies are really the main water producers in the San Gabriel Valley or agencies in their effective control.

The public agencies seem to have declared: "It is a large and maybe impossible task. We need more money and/or more people. It is very difficult to find any responsible parties. It was caused by thousands of underground tanks. We can not start the cleanup until we find the sources...etc."

The responses to this dilemma seem to be more questions without answers as follows:

1. We must test enough wells to completely define the contamination plume.

2. We need to understand the migration patterns through the different soil strata in the vertical direction.

3. We need to understand the complex effects of the well pumping. Letting some pumps operate might make the problem worse.

4. We need to know the migration patterns downstream.

5. We need to inventory the thousands of underground tanks. Let's look at 10,000 small businesses that might be polluting now.

6. It is very hard to pin this on any responsible party with lots of money to recover. They might defend themselves.

7. If we can not clean up the main plumes, then maybe we can stop it from spreading downstream through the Whittier Narrows into the Central Basin.

8. If there are no rich responsible parties to finance the clean up, let's help the water companies that have the money to pay.

9. If all else fails, then let's change contractors on the project and begin again.

Now, on a purely technical level, many of these problems and questions might seem reasonable. However, without an overall plan, strategy or objective, the efforts expended on these tasks will be wasted and the results meaningless. **You just can not get there from here without a roadmap.**

It is readily apparent that there are just too many players with too little authority involved and they are running into each other. The SWB has said as much, by the conduct of meetings with many of the players in early 1988. These meetings culminated in a hearing on June 28-29, 1988. The hearing resulted in Resolution No. 88-114.

This resolution says basically, "Everybody get together and cooperate. Further, we think the Main San Gabriel Watermaster or its surrogate should be in charge of coordinating the local effort and use public agency taxing authority to finance the operations."

Now the "**locals had the ball**", and what did they do? The four entities: USGVMWD, USGVWA, SGVMWD, and MSGBW passed a Joint Resolution in February 1989 that, **"...declare their firm resolve to protect the quality of groundwater within the Main San Gabriel Basin. etc, etc, etc..."**

After four pages of carefully worded declarations of support and cooperation, the resolution falls short of the requested actions in resolution 88-114. We really have no change in how the many players are going to solve the water contamination problem together.

SO WHO IS IN CHARGE ?

The ultimate responsibility for the Superfund clean-up of San Gabriel Valley Groundwater Basin is the **Environmental Protection Agency of the Federal Government**. We , the public, hold EPA responsible.

If it can find responsible parties and make them pay, that's great. If it can get the various state agencies to help, that's great too. If it can get the owners of the underground water rights to cooperate to help clean up the groundwater, that's wonderful.

THE BOTTOM LINE IS SIMPLE. WE WANT ACTION. WE WANT THE WATER IN THE WELLS CLEANED UP. WE WANT THE POLLUTERS MADE TO PAY. AND WE WANT THE EPA TO DO IT.

WHAT ARE THE CLEAN-UP PRIORITIES

The people of the San Gabriel Valley have waited and have been patient with the EPA and all of the State Agencies. We have stood by and watched for too long while the players decided for themselves what the priorities should be.

We understood that the USGVMWD was supposed to use 180,000 out of the 402,000 dollars to implement a "Community Relations Plan" to make sure the public would participate in the Superfund process. How did the public get left out?

With regard to the development of priorities, we have more questions than answers. For example:

1. How did the Bartolo Wells (Suburban Water Company) come to be selected as an Operable Unit over the four Superfund clean-up Areas?

2. How did the Whittier Narrows wells get selected next as an Cperable Unit over the same Superfund clean-up Areas?

3. Who decided that protecting the Central Basin from the Whittier Narrows groundwater plume should receive such a high priority?

4. Why is it so important to investigate 10,000 small businesses for "**potential ongoing groundwater contamination**", especially downstream from the major plumes?

5. Why is it more important to spend money on looking for small polluters (10,000 small businesses) than it is to drill test wells to obtain evidence against the potential polluters in the Azusa Area 1?

6. What criteria, plan, or clean-up strategy is in effect or adopted to develop the priorities that were used above?

We believe that EPA can not operate a successful clean-up of the San Gabriel Valley Groundwater unless all of these questions are answered, and with and much stronger management oversight than is adopted now.

RWQCB AB1803 FOLLOW-UP INVESTIGATIONS

The EPA has contracted with RWQCB to conduct an AB1803 follow-up investigation to look further for more potentially responsible parties. The agency has chosen to focus in the cities of El Monte, La Puente, and the City of Industry. We find no problem with looking for responsible parties, but we do strongly question the rationale behind the selection of these cities.

For example, El Monte and La Puente are both downstream of Areas 1 and 2, the main plumes. It is difficult to understand how finding current polluters in these regions will help pay for cleaning up contamination they could not possibly have caused.

These two cities are upstream from the Whittier Narrows and Bartolo Field Wells, and if that is the reason for the effort, it should be so stated and justified.

The selection of the City of Industry is puzzling. At first glance, it is tempting to believe that because there are over 1400 industrial businesses, the potential for contamination is very high. However, one must recognize two very important points.

First, the existing plumes took 20 to 30 years to develop. Second, a vast majority of those 1400 businesses did not exist 20 years ago. A quick look at historical aerial photos of the early 1960 period will confirm this. There can only be a very few prime suspects that have been around that long.

Lastly, the Superfund clean-up Area 4 that is located in the City of Industry has already been associated with the BDP Division of Carrier Corporation who has taken responsibility for spilling **and cleaning up** 15,000 to 20,000 gallons of Perchroloethylene (PCE) from their facility.

Both the City of Industry and La Puente area form the Puente Basin Aquifer. It is very shallow and flows in a northwesterly direction. Any potentially recent contamination can not possibly have a very significant effect on the main plumes in areas 1 and 2.

We believe that EPA should take another look at the priorities for finding potentially responsible parties. It appears to us that this money could be better spent obtaining evidence against much larger polluters by drilling test wells in Area 1 and 2 in the Azusa area near the the Azusa Landfill.

PRIMARY RESPONSIBLE PARTIES & LIKELIHOOD OF RESTITUTION

The invitation to appear asked for comments on the plan for determining the Primary Responsible Parties (PRP) and the likelihood of achieving restitution. It is very difficult to comment about specific aspects of the plan.

First, the "plan for determining PRP's" is apparently a very closely guarded secret, because in four years of trying to obtain it, this writer has been unable to ever see the document. I have never been able to obtain more than a general verbal description of how EPA is going about locating PRP's.

The RWQCB recently (April 1989) discussed their process with the public at a Superfund Working/Information Group (SWIG) meeting. This discussion provided only a very cursory overview using a block diagram flow chart of the mechanics of the process.

The external perception of the members of the public is that nothing is being done to locate the PRP's. Unfortunately, this author has not been able to gather any evidence to the contrary.

For example, the HHIA in 1985, asked for detailed information about the subject from EPA Region 9 (Mr. Neil Ziemba). HHIA was told that no specific data could be obtained because it might jeopardize ongoing investigations. When we asked for an explanation of how the investigations were being conducted, we got only generalities.

It seems that a process could and should be developed that will allow anyone to measure progress and performance of this critical task without compromising the legal cases that have to be made. This is especially critical because the job of finding PRP's has been bounced around, first from the RWQCB to EPA, and now back again.

It is difficult to avoid the public perception that the EPA will not prosecute polluters when it treats the task like an "orphan child" and keeps handing it to the state agencies. EPA does not help its case when it refuses to be more candid about its past efforts and lack of progress. Not one case has ever been brought against a PRP at this Superfund clean-up site.

The public is entitled to know whether there is little likelihood of prosecuting PRP's or if it's simply another case of EPA mismanagement.

EPA Cooperative Agreement on RI/FS with USGVMWD

We would like to bring to your attention the matter of the EPA and it's contractors performance regarding the development and implementation of the Community Relations Plan. This writer was in contact with the previous General Manager of the USGVMWD concerning the opportunity for HHIA participation in the Superfund process. On many occasions attempts were made to participate.

For example, when the first fact sheet was issued in June, 1986, HHIA requested 1500 copies to mail to our membership and "Town Meeting" mailing list. The USGVMWD would not provide the copies because "they had no budget". We obtained the copies only after providing our mailing list directly to EPA Region 9, so they could mail them.

This author has only recently been able to review the activities of the Cooperative Agreement with EPA. I was shocked to find that USGVMWD has a budget of 180,000 dollars to "develop and implement" the Community Relations Plan. This is in addition to the 207,000 dollars provided to CH2M Hill in their budget to write the plan.

To my knowledge, the Community Relations Plan has never been completed. I have seen a copy of a "REVISED INTERNAL DRAFT" dated March 1989. It is quite astounding that almost 380,000 dollars would be allocated and spent for a community relations activity that has been almost invisible to the public.

It appears that most of the funds have been spent on manpower and overhead by the contractors. It is particularly frustrating to know that the EPA would spend such funds when it has paid for the functional equivalent of the Community Relations Plan once already.

I have had in my files for over two years, a document entitled "COMMUNITY RELATIONS IN SUPERFUND: A HANDBOOK", prepared for the Office of Emergency and Remedial Response, USEPA, dated March 1986--OSWER Directive Number 9230-3A. The document was prepared by ICF Incorporated in January 1986.

We believe that the public has been shut out of the Superfund process during the last three and a half years. We do not know it was intentional or due to lack of proper management of the Cooperative Agreement by EPA. In either case, we want the problem corrected.

League of Women Voters
Southern California Regional Task Force

REPRESENTING LWVs OF: LOS ANGELES, ORANGE AND VENTURA COUNTIES,
AND RIVERSIDE, REDLANDS, SAN BERNARDINO AND PALM SPRINGS.

Testimony before the Environment and Labor Subcommittee of the Committee on Small Business, Esteban E. Torres, Chairman
June 5, 1989 at Baldwin Park, California
by Mary Johnson, Project Manager
San Gabriel Valley Superfund Working/Information Group (SWIG)
2411 N. Cameron, Covina, CA 91724

The League of Women Voters and the San Gabriel Valley Superfund Working/ Information Group are pleased to have the opportunity to participate in this field hearing on the management of the San Gabriel Valley Superfund sites.

The San Gabriel Valley Superfund Working/Information Group, hereafter referred to as the SWIG, was organized in January of this year by the League of Women Voters Southern California Regional Task Force under a pass-through grant from the League of Women Voters Education Fund. The League had noted that no Community Working Group existed in the San Gabriel Valley like the one assembled for the San Fernando Valley site by the lead agency there, the Los Angeles Department of Water and Power.

The League contacted community organizations throughout the San Gabriel Basin asking them to send delegates to an organizational meeting to plan a series of four public seminars on drinking water issues. The seminars received the support of 23 community groups and 13 agencies and elected officials, of whom your Field Representative Lupe De La Cruz was one. A list of these participating organizations is appended for your information. You will note that they include business, environmental, service, political and homeowner groups. I want to emphasize that I am not speaking on behalf of any of these groups in my testimony today, except for the League. Some of them may wish to submit their own written comments or give oral testimony as time permits.

Also appended for your information are the agendas for the seminars. The topics are as follows: The Present State of the San Gabriel Valley Water Supply; Remedies for Contamination:Treatment Technologies and Strategies; Health Risks: Are Our Standards Too High? and What Price Clean Water? To save time, I will not read the names and titles of all the speakers, but I do want to say that we enjoyed excellent cooperation from all agencies involved in the Superfund project--

namely, EPA Region IX, the State Department of Health Services, Assembly Member Sally Tanner's field office, the Regional Water Quality Control Board, the Upper San Gabriel Valley Municipal Water District and the water purveyors association--plus others not directly involved such as the Metropolitan Water District of Southern California, Los Angeles Department of Water and Power, the Pasadena Water and Power Department and the Los Angeles County Sanitation Districts. The support of the press has also been notable. Attendance at the seminars has averaged 50 to 60 people.

Judging from evaluation forms and discussion in the SWIG steering committee, most participants felt awed by the complexity and size of the problems in this valuable water basin. Few felt ready to come forth with recommendations for specific actions and strategies. The feeling was that there are still many more questions than answers. Perhaps there will be more revelations at this hearing today. Certainly informed and intelligent decisions on the allocation of limited resources is of paramount importance.

Speaking now for the League only, I can say that we want to see much more participation both by the public and local governments both in the planning process and in the source investigation. City halls and longtime residents may have information on historical land uses that could contribute to the identification of potential responsible parties. Perhaps all working together we may find a way for the communities involved, the 46 water purveyors included, to identify past sources and arrest current and future contamination so as to protect and make the best use of our precious water supplies.

In closing, I would like to invite all interested San Gabriel Valley residents to an organizational meeting for the future of the SWIG as an on-going vehicle for public participation and information. It is scheduled for Wednesday, June 14 at 7:30 PM at the El Monte Community Center, 3130 Tyler Avenue.

League of Women Voters
Southern California Regional Task Force

REPRESENTING LWVs OF: LOS ANGELES, ORANGE AND VENTURA COUNTIES,
AND RIVERSIDE, REDLANDS, SAN BERNARDINO AND PALM SPRINGS.

The San Gabriel Valley Superfund Working/Information Group (SWIG)

Out of 25 applicants nationwide, the LWV Southern California Regional Task Force (LWV-SCRTF) is one of the 13 awarded Drinking Water Pass-Through Grants by the LWV Education Fund. The funding of these local public education projects is the third phase of LWVEF's Safe Drinking Water Community Education Project, a three-year effort to develop the public support necessary for effective implementation of the 1986 Safe Drinking Water Act Amendments. In the first year, League members were asked to respond to a questionnaire about their own drinking water concerns. Last year, members of 381 local and state Leagues surveyed their water utilities. Results of the survey are scheduled for release by LWVEF this spring.

The LWV-SCRTF project has as its focus the San Gabriel Valley groundwater basin, four areas of which were designated in 1984 on U.S. EPA's National Priority List for cleanup under the Federal "Superfund" program. No "Community Working Group" was formed in the San Gabriel Valley as was done for the San Fernando Valley Superfund site. The project, called the San Gabriel Valley Superfund Working/Information Group (SWIG), has the following objectives: 1) Assemble a Working Group composed of representatives from 20 organizations throughout the Valley; 2) Provide an educational program through a series of four seminars utilizing speakers, LWV publications and other available printed material; 3) Encourage dissemination of the information through their organizations and their communities; 4) Promote informed participation in all hearings and other public meetings on the groundwater contamination problem; 5) Assure outside funding for the continuation of one or more working groups through the planning and construction of each Superfund project.

The organizational meeting of the SGV SWIG on January 30 produced commitments by representatives of 25 community groups and 9 agencies or elected officials to attend these four seminars: March 1 - The Present State of the Valley's Water Supply; March 29 - Remedies for Contamination: Treatment Technologies and Strategies; April 26 - Health Risks: Are Our Standards Too High?; and May 24 - What Price Clean Water? All meetings are at 7:30 PM at the El Monte Community Center and are open to the public. For further information, contact Mary Johnson, Project Manager at 818-332-6124 or 967-8055 (messages).

San Gabriel Valley Superfund Working/Information Group (SWIG)
Committed Member Organizations - January 30, 1989 (Rev. 4/25/89)

Sponsoring Organization: League of Women Voters Southern California Regional Task Force - Alison Fuller, Chair; Mary Johnson, Project Manager; Jean Kulla and Ted Koelsch, Consultants; Jane Bray, Acting Secretary

Community Groups
ACTSAG - Betty Wertz
American Association of University Women (AAUW) -
Arcadia Chapter - Alli Roysher; Covina/W. Covina Chapter - Ruth Currie
Arcadia Women's Club - Marge Elliott
CADRE - Will Baca
CAER East San Gabriel Valley - Erik Monson
Chamber of Commerce, West Covina - Fred Burkhardt
Committee to Save the Foothills (Azusa) - Carol Montano
Covina Women's Club - Laura Brady
Federation of Coordinating Councils - Gladys Mooney
Green Future (La Puente) - Victor & Charisse Nebrida
Hacienda Heights Improvement Association - Howard Elkin, M.D.
Kiwanis Club, South Hills - Jack Fielding
League of Women Voters, East San Gabriel Valley - Helen Doherty
League of Women Voters, Whittier - Dr. Judith Prather
Mid-Valley Democratic Club - Hillel & Marcia Arkin
Monrovia-Duarte Board of Realtors - Bill Van Buskirk
NOW San Gabriel Valley - Darby Mangen
Rotary International, San Gabriel - Al Reyes
SANE Freeze - Eileen Johnson
Sierra Club, East San Gabriel Valley - Ash Renwick, Maxine Leichter
Soroptimists - Judy Barton, Shirley Harrison
Valley Democratic Luncheon Club - Paula Taylor
WASH - Sally Graves

Agencies & Elected Officials
Assemblywoman Tanner's office - Cass Luke
Bassett Unified School District (Bd. of Trustees) - Carol Smithberg
Cal Poly Pomona - Teresa Danovich
City of Alhambra - Tom Shollenberger
City of El Monte - Dave Gondek
City of West Covina, Environmental Quality Commission - Mike Miller, George Tracy
Congressman Martinez's Office - Janet Lim
Congressman Torres's office - Lupe De La Cruz
El Monte Union High School District - Clark Moseley
Los Angeles Community College District - Dr. George Prather
Rurban Homes Water Co. - Ollie Tessier
San Gabriel Valley Water Co. - M.J. McGraw
Upper San Gabriel Valley Water Association - Bob Berlien

San Gabriel Valley Superfund Working/Information Group
Water Issues Seminar #1
March 1, 1989, 7:30-9:30 PM - El Monte Community Center

TOPIC: The Present State of the San Gabriel Valley's Water Supply

SPEAKERS: Robert G. Berlien, General Manager of the Upper San Gabriel Valley Municipal Water District, 11310 Valley Blvd., El Monte, CA 91731

John Bishop, Regional Water Quality Control Board, Los Angeles Region, 107 S. Broadway, Los Angeles, CA 90012

Andrew Sienkiewich, Manager, Regional and Local Resources Branch, Metropolitan Water District, 1111 Sunset Blvd., Los Angeles, CA 90054

QUESTIONS TO BE ADDRESSED

Water Supply

1. What is the available water supply for this basin?
2. What proportion of San Gabriel Valley water supply comes from wells?
3. Why not abandon the groundwater and buy all our water from the Metropolitan Water District?

San Gabriel Basin Superfund Site:

1. What is the extent and nature of the known contamination?
2. What is the extent of the investigation yet to be done?
3. Which agencies are responsible for the site investigation? How are they going about it?
4. What efforts are being made to find the sources of the contamination? Have any responsible parties been identified?
5. What measures are being taken to avoid any new pollution? Do water companies and agencies have enough control over land uses that threaten the quality of ground water?
6. Are the widespread use of pesticides, herbicides and chemical fertilizers potential "time bombs"?
7. Are present monitoring laws and enforcement adequate? What changes are needed?
8. How does the San Gabriel Valley compare with water quality problems in other places?

Additional questions from the audience will be welcome after the panel.

Future seminars will be held on March 29, April 26 and May 24, same time & place.

SGV SWIG is a consortium of community groups with a common interest in the San Gabriel Basin Superfund groundwater cleanup project. The SWIG is sponsored by the League of Women Voters Southern California Regional Task Force under a grant from the League of Women Voters Education Fund. For more information, please contact SWIG Project Manager Mary Johnson, 818-332-6124.

San Gabriel Valley Superfund Working/Information Group
Drinking Water Issues Seminar #2
March 29, 1989, 7:00-9:30 PM - El Monte Community Center

Doors open at 7:00 for registration and refreshments. Please note: Only those who check in (if returning) or sign in (if attending for the first time) will receive the agenda mailing for the next seminar by mail. The program will begin promptly at 7:30 PM.

Topic: Remedies for Contamination: Treatment Technologies and Strategies

Speakers:
Neil L. Ziemba, Environmental Engineer, U.S. Environmental Protection Agency (EPA) Region IX, Project Manager for San Gabriel Valley Superfund Site, will discuss existing projects, proposals for Whittier Narrows and possible strategies for basin-wide cleanup.

Susan B. Nielsen, Associate Civil Engineer, Pasadena Water and Power Department, will report on her department's pilot projects using advanced oxidation technology for removal of volatile organics of the types--TCE, PCE and CTC--found in the SGV site

Jean Kulla, PhD, Supervising Hydrologist, McLaren Engineering, Santa Ana Office, will describe current research into biodegradation of chlorinated chemicals in groundwater.

QUESTIONS TO BE ADDRESSED:
San Gabriel Basin Superfund Site:
1. What is the extent and nature of the known contamination?
2. What is the extent of the investigation yet to be done?

Cleanup:
1. What are the proposals for cleaning up identified contamination?
2. What is the cost effectiveness of the various proposals?
3. How are priorities for areas to be cleaned up determined?
4. How long will it take to clean up the basin, and to what degree?
5. Is there an overall strategy for the Basin, or is cleanup being done piecemeal.
6. What priority should cleanup have compared with preventive actions?
7. How do EPA community groups operate in other Superfund sites?
8. What other technologies are under development or experimentation?
9. What are the human dynamics of technological change?

Additional questions from the audience will be welcome after the panel.

Future seminars will be held on April 26 (Health) and May 24 (Costs), same time & place.

SGV SWIG is a consortium of community groups with a common interest in the San Gabriel Basin Superfund groundwater cleanup project. The SWIG is sponsored by the League of Women Voters Southern California Regional Task Force under a grant from the League of Women Voters Education Fund. For more information, please contact SWIG Project Manager Mary Johnson, 818-332-6124.

San Gabriel Valley Superfund Working/Information Group

Drinking Water Issues Seminar #3
April 26, 1989, 7:00-9:30 PM - El Monte Community Center
3130 Tyler Avenue - in the small auditorum - enter from Tyler

Doors open at 7:00 for registration and refreshments. Please note: Only those who check in (if returning) or sign in (if attending for the first time) will receive the agenda mailing for the next seminar by mail. The program will begin promptly at 7:30 PM.

Topic: Health Risks: Are Our Standards Too High?

Speakers:
Dr. Lester Sacks, President-elect of the Western Occupational Medical Association. Dr. Sacks has a private practice in occupational medicine and family practice in Torrance.

Dr. Joseph Brown, Chief of Water Unit, Hazard Evaluation Section, State of California Department of Health Services, Berkeley

Cass Luke, Field Representative for Assembly Member Sally Tanner, El Monte

Questions to be addressed:
1. What are the known or suspected health effects of the contaminants found in San Gabriel Valley wells? How are these effects ascertained? What is the epidemiology of water contaminants?
2. How do these health risks compare with other environmental risks -- e.g. air pollution, radon, food residues, asbestos, smoking, etc.?
3. What are the current standards for these chemicals in drinking water?
4. How are the standards set? What criteria are used? Is cost a factor? What role does the state legislature play in setting standards?
5. "How clean is clean"? What are the costs and trade-offs in attempting to reduce contamination to zero?

Additional questions from the audience will be welcome after the panel.

The final seminar in the series will be held on May 24, same time & place.
The topic, "What Price Clean Water?" will include such issues as meeting the new Safe Drinking Water Act standards, costs of maintaining/operating Superfund facilities, water reclamation and conservation practices.

SGV SWIG is a consortium of community groups with a common interest in the San Gabriel Basin Superfund groundwater cleanup project. The SWIG is sponsored by the League of Women Voters Southern California Regional Task Force under a grant from the League of Women Voters Education Fund. For more information, please contact SWIG Project Manager Mary Johnson, 818-332-6124.

San Gabriel Valley Superfund Working/Information Group

Drinking Water Issues Seminar #4

May 24, 1989, 7:00-9:30 PM - El Monte Community Center

3130 Tyler Avenue - in the small auditorum - enter from Tyler

Doors open at 7:00 for registration and refreshments.
The program will begin promptly at 7:30 PM.

Topic: What Price Clean Water?

Speakers:

Duane L. Georgeson, Assistant General Manager, Water, Los Angeles Department of Water and Power. The DWP Water System, which Mr. Georgeson heads, is the lead agency for the San Fernando Valley Superfund site cleanup.

Robert G. Berlien, General Manager, Upper San Gabriel Valley Municipal Water District, and Executive Secretary of Upper San Gabriel Valley Water Association.

Earl Hartling, Engineering Associate, Sanitation Districts of Los Angeles County.

Questions to be addressed:

1. What will be the cost to water purveyors (and their customers) of implementing the standards set by the 1986 amendments to the Federal Safe Drinking Water Act?
2. What is the Superfund budget for the San Gabriel Basin Superfund site? What other sources of funds are available for the project?
3. What agency will assume maintenance responsibility for Superfund facilities and how will operation and maintenance costs be funded? Who will pay?
4. What are the costs and savings associated with reclaimed water? How can it be used?
5. "How clean is clean"? What are the costs and trade-offs in attempting to reduce contamination to zero?

Additional questions from the audience will be welcome after the panel.

This is the final seminar in the series on drinking water issues in the San Gabriel Valley sponsored by the League of Women Voters Southern California Regional Task Force under a grant from the League of Women Voters Education Fund. The San Gabriel Valley Superfund Working/ Information Group (SWIG) is a consortium of community groups with a common interest in the San Gabriel Basin Superfund groundwater cleanup project. For information concerning future meetings of the SWIG, please contact SWIG Project Manager Mary Johnson, 818-332-6124.

TO: Esteban Torres
United States Congressman, 34th District

FROM: Leonard F. Blake, Vice President
Beverly Acres Mutual Water Users Association

SUBJECT: Summary of testimony to be presented at the Congressional hearing to learn about efforts to clean the groundwater in the San Gabriel Valley.

June 1985:
The Los Angeles County Health Department notified our Water Board that we were to shut down our well due to contamination over the allowable amount. Legal counsel was obtained to assist in finding a solution to our problem.

July 1985:
Our well was shut down on orders of L.A. County Health Department due to contamination and we had to switch to an alternate source for water.

Aug. 20, 1985:
Received permission from L.A. County Health Department to use our well water for irrigation and general household use providing we provide bottled water to each household for drinking and culinary use.

Sept. 1986:
The L.A. County Health Department notified our Water Company again that we were above the Action Level of TCE and PCE of the state's Action Levels.

Oct. 1986:
A Homeowner's meeting was held and the recommendation was made to continue the use of bottled water as approved previously by the L.A. Health Department until a permanent solution, "Charcoal Filter System," is installed.

Nov. 1986 - Feb. 1987:
Installation of Charcoal Filter System versus mandatory lowering of our water line due to widening of Workman Mill Road.

Costs above our regular expenses from July 1985 through April 1989.

Alternate Water Supply during well shut down	$6,297.58
Bottled water	$31,751.00
Legal Counsel	$1,250.00

Pilot Charcoal Filter System $232.32

L.A. County Health Department afforded excellent cooperation during this period.

Feb. 1988:

We were informed by an EPA representative at the quarterly Upper San Gabriel Association dinner meeting that the EPA was doing feasibility studies and ground water testing (with the exception of the four San Gabriel Valley Superfund sites). Any financial assistance, loans or grants, would have to come from other sources.

Sincerely,

Leonard F. Blake
Vice President
Beverly Acres Mutual Water Users Assoc.

Enclosure: Members of the Board of Directors

BEVERLY ACRES MUTUAL
WATER USERS' ASSOCIATION
10361 Cliota Street
Whittier, California 90601

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JOHN E. ALBIN
President

May 23, 1989

California Regional Water
Quality Control Board
107 South Broadway, Suite 4027
Los Angeles, CA 90012-4596

Re: Subsurface Investigation - AB 1803 Well Investigation Program
(File No. 103.1387)

Gentlemen:

I received your letter of May 9th requiring additional subsurface investigation, namely a 40 foot monitoring well.

We have just spent $2200 in previous borings and lab tests, to prove that our former machined chip waste storage area is not contributing to ground water contamination. Although an extremely small amount of 1,1,1-trichloroethane and 1,1,- dichlorethane was found in the soil, I have contacted Chevron Chemical Company, the manufacture of the soluble machining oil and hydraulic oils that we use, and absolutely none of the above two contaminants are contained in these products. I would be happy to provide a certificate of this fact if necessary.

We do not have or use chemicals, now or in the past, in this business, which has been operating on this site for over 20 years, which contain the contaminating compounds. We in no way could be defined as a potential contributor to ground water contamination if we do not use the chemicals in contention.

I do not see any legitimate justification to require us to spend many thousands of dollars to continue to explore for a problem to which we are not contributing. The money we have already spent shows that the existing ground contaminants are below the EPA level for drinking water, not considering the fact that these levels are in soil and are not being increased in any way by our machine shop operation. You are more than welcome to audit our records and our operations to verify that we cannot be adding to the ground contaminants.

Very truly yours,

John E. Albin

cc: Joseph B. Montoya, Newton R. Russel - State Senator
Sally Tanner, Richard Mountjoy - State Assembly
Peter Schabarum, Michael D. Antonovich - County Supervisor
Jim Kelly - City Councilman

TESTIMONY OF
ROBERT G. BERLIEN

ENVIRONMENTAL AND LABOR SUBCOMMITTEE HEARING
MANAGEMENT OF SAN GABRIEL VALLEY SUPERFUND SITES
JUNE 5, 1989

My name is Robert G. Berlien. I am the General Manager of the Upper San Gabriel Valley Municipal Water District, Assistant Secretary-Assistant Treasurer of the Main San Gabriel Basin Watermaster, and Executive Secretary of the Upper San Gabriel Valley Water Association. Each of these three agencies has authorized me to submit this written testimony and appear at the Hearing on their behalf.

In your letter of invitation you requested that I address the adequacy of the Clean-Up Plan developed by the EPA, as it relates to the water supply agencies. Also to be addressed is the plan for determining the Primary Responsible Parties (PRPs) for the contamination, the likelihood of achieving restitution from the PRPs, and general comments and recommendations.

CLEAN-UP PLAN

The water suppliers in the San Gabriel Valley have a number of concerns regarding the adequacy of the Clean-Up Plan and proposed EPA actions as we understand them. These concerns include the following:

1. The first, and most obvious concern, is the length of time it has taken to get the clean-up started. After 5 years as a Superfund site, no contaminated water has been cleaned up and no overall plan for basin clean-up has been developed. Water suppliers do not have a clear understanding of where the clean-up project is headed.

2. The early decision by the EPA to construct a carbon filtration treatment system for Richwood Mutual Water Company did not appear to us to be a reasonable decision. To spend over one and a half million dollars to provide water service to 200 homes cannot be cost effective when a connection to a nearby water supplier could have accomplished the same objective at a fraction of the cost.

3. The decision by EPA to concentrate their resources and efforts for the next several years in the Whittier Narrows (Bartolo Well Field and Whittier Narrows Operable Units) area is questionable. While we understand EPA's concern about containing the contamination in the San Gabriel Basin and providing a reliable water supply to Central Basin, this would not be the highest priority project for water suppliers in the San Gabriel Valley. We believe immediate attention should be given to the main plume of contamination in the Azusa/Baldwin Park area of the San Gabriel Valley.

   With EPA efforts concentrated in the Whittier Narrows area it may be 3 to 5 years before construction of a Azusa/Baldwin Park Operable Unit can be started. During this time contamination movement may threaten clean wells and cause water supply problems in the Azusa/Baldwin Park area. Water suppliers are concerned that the EPA will not be able to react quickly enough to contamination movement to prevent a major problem in this area.

4. The proposed EPA change of engineering contractors is also a major concern. Changing contractors in mid-project can only result in significant time delays as one contractor phases-out and another gears-up to take over. Vast amounts of specific site experience will be lost in the change and large expenditures will be needed to educate the new engineering contractor.

With these concerns in mind, we feel it is unproductive to critize past EPA decisions. We certainly do not wish to see EPA expending its limited resources on justifying its past actions. Rather, we would hope that our present concerns can be recognized and future actions planned and implemented that will lead to appropriate and timely solutions to our problems.

Until recently, no local agency had the authority or responsibility for providing guidance to the EPA in their decision making process. There was no one agency with the authority to speak for all of the local water interests. This problem has been resolved by a Joint Resolution that was adopted by the local agencies on March 1, 1989. This Resolution designates the Main San Gabriel Basin Watermaster as the entity to coordinate local involvement with the EPA on the Superfund Clean-Up Project.

SOURCE INVESTIGATION

We are also concerned that very little progress has been made on the identification of PRPs. We all recognize the critical importance of stopping the continuing sources of contamination. No clean-up plan can be effective if the basin continues to be contaminated.

The need to identify PRPs is also critical to the funding of future operable units. With the limited resources EPA has available for this site, we need to find PRP's and commit them to the funding of the clean-up.

The identification of PRP's will be an enormously expensive and time consuming task. We believe there are probably hundreds, if not thousands, of PRPs to be identified and brought into the Superfund process. A major commitment of resources must be made by the EPA to this task if any progress is to be made.

The recent funding by the EPA of source identification work to be performed by the Regional Water Quality Control Board (RWQCB) is a step in the right direction. Even with a grant to the RWQCB on the order of a million dollars per year, the RWQCB states that it will take over 10 years just to survey all the potential PRPs in the San Gabriel Valley. The chances of achieving restitution from even a fraction of these PRPs is very unlikely with so many parties involved and with the difficulty of proving responsibility under Superfund law.

RECOMMENDATIONS

Because of the immense amount of clean-up and source investigation work remaining to be done in the San Gabriel Valley, we would make the following recommendations:

1. That EPA increase the funding for this site to allow the planning and construction of an Azusa/Baldwin Park operable unit in the immediate future.

2. That a major source investigation and PRP search be immediately started with the goal of identifying and prosecuting all major PRP's within the next several years.

3. That additional EPA staff be added to the San Gabriel Project to facilitate the above recommendations and that consideration be given to having a local EPA office in the San Gabriel Valley.

4. That the EPA coordinate its work with the Main San Gabriel Basin Watermaster as the agency designated to represent local water suppliers.

I wish to thank you for the opportunity to present this testimony to the Subcommittee and will make myself available on June 5, to answer any questions you may have.

Respectfully submitted

Robert G. Berlien

Testimony of C. David Willis, Deputy Director
Toxic Substances Control Division, Department of Health Services
State of California

Management of San Gabriel Valley Superfund Sites 1-4
Environment and Labor Subcommittee
Committee on Small Business
June 5, 1989

Background

The San Gabriel Valley Ground Water Basin covers an area of approximately 195 square miles. The basin is a drinking water source to more than a million residents, with an average renewable yield of about 200,000 acre-feet per year. The basin is adjudicated, that is, the pumping of ground water is regulated by a Watermaster. There are about 275 public water supply wells operated by about 45 different water purveyors. There are also hundreds of other wells extracting ground water for agricultural and industrial uses.

The aquifer is thought to be approximately 3000 feet deep and is generally composed of highly permeable alluvial deposits. The depth to ground water varies seasonally and averages from about 150 to 300 feet in the northern portion of the basin and 20 to 50 feet in the southern portion of the basin. The ground water migrates at a rate of 50 to 1000 feet per year from the basin margins through the Whittier Narrows and discharges into the Central Ground Water Basin. The intensive pumping of the aquifer has resulted in changes in the natural ground water flow patterns. These changes have occurred over time in response to changing patterns of ground water pumping. Prediction of historic ground water flow paths will require a sophisticated ground water model, accurate information on well locations and quantities of ground water pumped, and a tremendous amount of investigative resources.

To date, about 80 of the water supply wells produce water that does not meet State and Federal drinking water standards. Two types of ground water contaminants have been detected at the present; nitrates and volatile organics. The nitrates are above drinking water standards of 45 mg/l in a large portion of the northeastern quadrant of the basin and in scattered plumes throughout the other portions of the basin. The nitrate contamination is generally thought to be a result of agricultural activities. Elevated levels of nitrates are known to cause acute problems with the oxygen carrying ability of hemoglobin for infants. The nitrate problem cannot be addressed by the CERCLA program, since it is caused by non-industrial sources.

Volatile organics have been found extensively in the central and southern portions of the basin. The predominate compounds found exceeding drinking water standards are PCE and TCE. Exposure to these chemicals in occupational settings (much higher concentrations than in the ground water) are known to cause chronic effects such as liver, kidney, and central nervous system damage, cancer, and adverse reproductive outcomes. Contamination has been detected to depths of 500 to 700 feet; however, the actual depth of contamination is unknown. Due to the nature of these compounds and the aquifers, there is potential for rapid transport of contamination. Contamination has been detected in the Whittier Narrows area, thus raising the possibility that contamination is being transported into the Central Basin. The extent of contamination is shown on Figure 1.

Due to the extent of contamination, it is estimated that there are hundreds of individual source areas. A large number of drinking water wells are presently threatened. Of the 80 water supply wells known to be contaminated, some have been abandoned and replaced with a new well in a clean area. In others, pumping continues but the ground water is blended with clean water so that it meets the drinking water standards. The decision to abandon, blend, or treat is driven by economics and must be approved by the Department of Health Services (DHS) Public Water Supply Branch (PWSB) which enforces the provisions of the California Safe Drinking Water Act for drinking water systems with over 200 service connections. The PWSB also must permit any treatment systems used for drinking water supply systems. The PWSB policy is to use only the best quality sources of water reasonably available to a water utility for drinking. Where reasonable alternatives are available, blending or treatment is not allowed. In cases where a contaminated well is a significant domestic water supply resource, the decision regarding whether blending or treatment will be allowed is based on the following factors:

- Cost effectiveness of various alternative sources.
- Comparative risk of the various alternative sources.
- Additive affects of multiple contaminants.
- Reliability of treatment or blending process.

Because the decision to blend, treat, or relocate the well is driven by economics, generally the "reasonable alternative" is to relocate the well to a clean area. This action can change ground water flow paths and draw contamination into the clean area. Thus, water suppliers could be a factor in the spread the contamination.

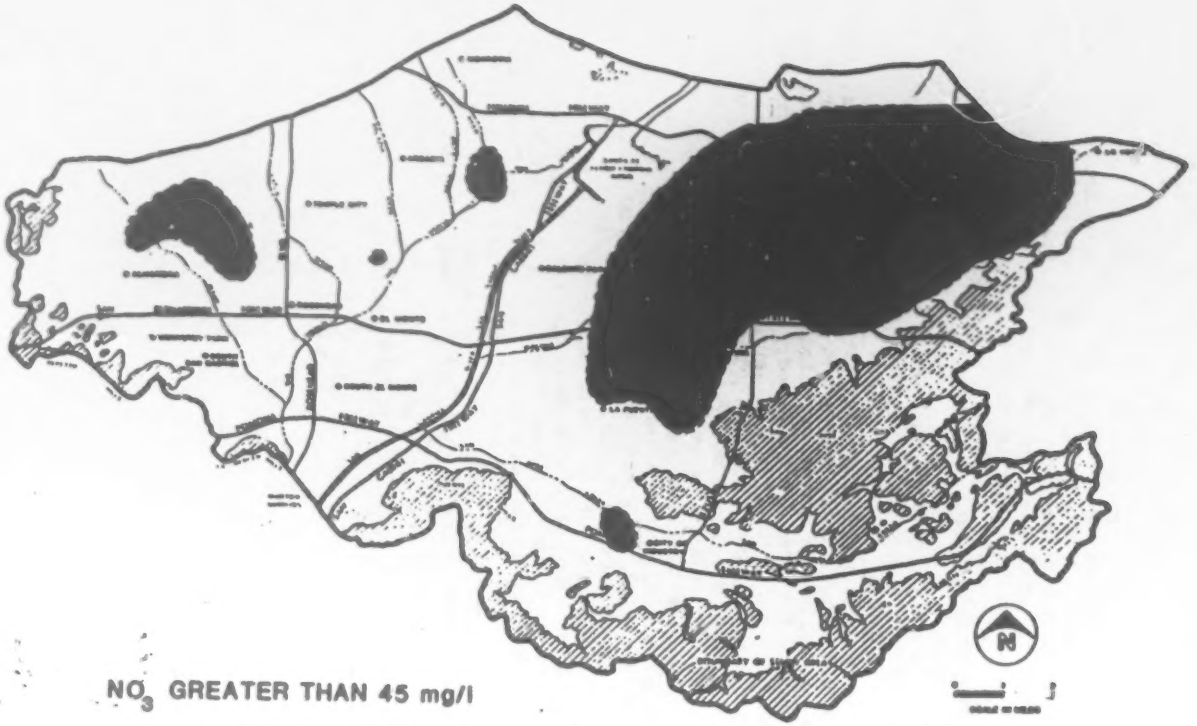


Figure 1a : Nitrate Contamination In the San Gabriel Groundwater Basin

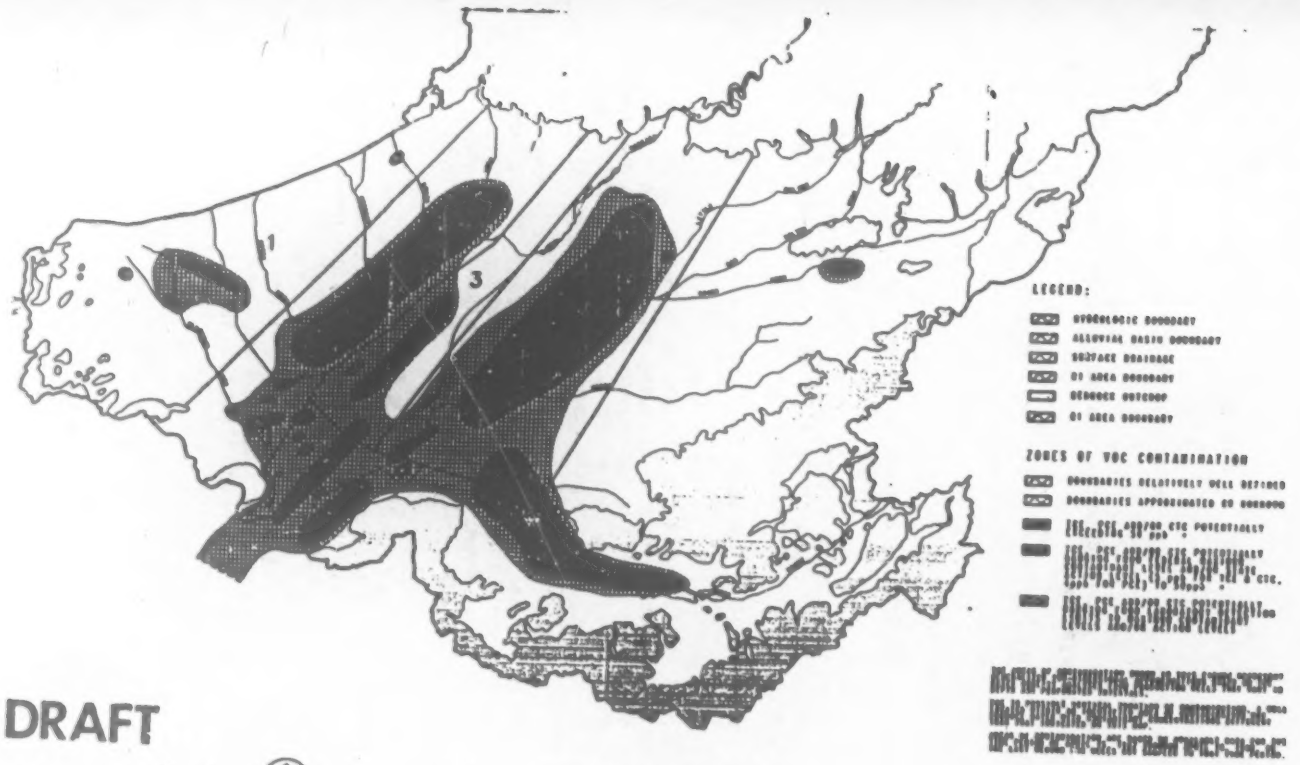


Figure 1b : Volital Organic Contamination in the San Gabriel Groundwater Basin

Agency Roles

The Environmental Protection Agency (EPA) maintains the lead regulatory role on this project. Currently, the EPA is in the process of:

1) Beginning startup of the Richwood Mutual Water Company treatment system.

2) Beginning design of the Suburban Water Company Bartolo Well Field treatment system.

3) Developing an FS for the Whittier Narrows Operable Unit (OU).

4) Coordinating state and local agency source identification and cleanup programs.

5) Developing a basinwide technical management plan.

6) Coordinating site cleanup efforts for the Oil and Solvent Processing Company site as a RCRA corrective action, and the Aerojet site through the CERCLA Remedial Investigation/ Feasibility Study (RI/FS) process.

7) Preparing a report summarizing remedial investigation results to date.

The Regional Water Quality Control Board (RWQCB) has been participating in source control and clean up efforts with 6 PY of state resources and a cooperative agreement from the EPA to fund 10 positions. They are also pursuing site investigation and cleanup activities through other programs such as Toxic Pits and Solid Waste Assessment programs.

Los Angeles County is regulating and monitoring small water systems with less than 200 service connections under the California Safe Drinking Water Act. They also contribute to source identification and cleanup through regulation of underground tanks.

Two Divisions of DHS are involved in basin activities: the Public Water Supply Branch and the Toxic Substances Control Division. The PWSB regulates and monitors water systems with greater than 200 service connections through enforcement of the California Safe Drinking Water Act and Assembly Bill (AB) 1803. The TSCD has entered into a State Superfund Contract with EPA to provide matching funds for construction, maintenance, and operation of the Richwood Mutual Water Treatment Plant. TSCD is responsible for providing matching funds for construction, operation, and maintenance of all operable units for the first 10 years, then pay 100 percent of the operation and maintenance costs after 10

years. TSCD also participates in basinwide planning activities, and will prepare CEQA documentation for the Whittier Narrows Operable Unit. Sites referred to TSCD from the RWQCB which are abandoned or have uncooperative responsible parties are cleaned up according to the statewide site mitigation program priorities.

The Watermaster, Upper San Gabriel Valley Municipal Water District, and Upper San Gabriel Valley Water Association have initiated efforts to develop a local management agency for the basin. They have adopted a joint resolution in February 1989, acknowledging that input from local water purveyors is needed to manage the problem and designating the Watermaster as the lead. However, they believe that the funding to operate the treatment systems should come from responsible parties, the federal and State government, and finally if no other sources of funds are available, costs should be distributed among all the basin water purveyors. They have hired one employee to begin writing the rules and regulations for the new agency and have asked for access to the EPA basinwide database. Many significant issues remain such as funding, technical capability to manage the resource, and coordination/allocation of pumping between the various parties. Anticipate a period of several years to settle these issues before the agency can effectively manage the resource.

Cleanup Strategy/Enforcement

The EPA has spent considerable resources in the past year preparing 1) a basinwide technical management plan and 2) an analysis of cost recovery/enforcement resource needs and probability of success.

Previous scoping showed the traditional RI/FS evaluation process would be too costly and could not be implemented in a timeframe which would effectively impact the problem.In 1986, the EPA completed a preliminary assessment of the costs and implementation timeframes for various remedial action scenarios. The scenarios included actions ranging from well head treatment only to complete restoration using extraction and injection wells. For the remedial investigation/feasibility study phase, the costs ranged from $3 to $51 million dollars and duration ranged from three to ten years for the various scenarios. For the remedial action phase, the costs (20-year assessment period) ranged from $185 to $800 million dollars and duration ranged six to thirty years for the various scenarios. These estimated costs do not include any efforts for source control. Thus, even for the least attractive alternative (well head treatment without full basin management), using the traditional Superfund approach would take three to five years and cost $3 to $10 million dollars just to reach the remedial action design phase.

The EPA is now developing a basin management plan which relies on a minimal basinwide remedial investigation and fast track remedial action design without detailed site characterization. The remedial actions/operable units are selected and prioritized based on multiple basinwide remedial response objectives, source control investigations, and the basinwide RI. Activities are sequenced to allow 1) remedial investigation activities to be incorporated, 2) integration of enforcement/cost recovery process, and 3) use of information from previous remedial actions/operable units to modify/confirm present priorities. See Figure 2 for a flow diagram of the proposed process.

The EPA has evaluated the staffing requirements, costs, and probability of success for cost recovery of funds expended for the four proposed operable units. The results are discouraging. In order to complete case development before the statute of limitations, the resource needs average over two million dollars per year and will require a staffing level of 4 PY for the next four years. The probability of success for cost recovery efforts is uncertain.

The success of cost recovery efforts rests on being able to conclusively establish a link between present contamination plumes and historic or present source areas. The intensive pumping of the aquifer has resulted in changes in the natural ground water flow patterns. These changes have occurred over time in response to changing patterns of ground water pumping. Prediction of historic ground water flow paths will require a sophisticated ground water model, accurate information on well locations and quantities of ground water pumped, and a tremendous amount of investigative resources. Thus, high quality evidence to establish contribution to the basinwide problem will be lacking and cost recovery cases will be built around groundwater modeling and expert witnesses.

Other factors which will reduce the probability of success are:

1) The number of estimated sources probably indicates a large percentage of small sources. Thus, even if Potential Responsible Parties (PRPs) are identified through the source investigations, recovery of more than a small portion of investigation and remediation costs is unlikely.

2) Cost recovery proceedings can be expected to be lengthy even for PRPs with ample financial resources. The cost for admitting liability for a portion of the regional contamination will probably make a majority of the PRPs recalcitrant.

Due to the statutes of limitations, any delay in initiating cost recovery efforts for Suburban and Whittier Narrows will reduce

SAN GABRIEL SITE STRATEGY

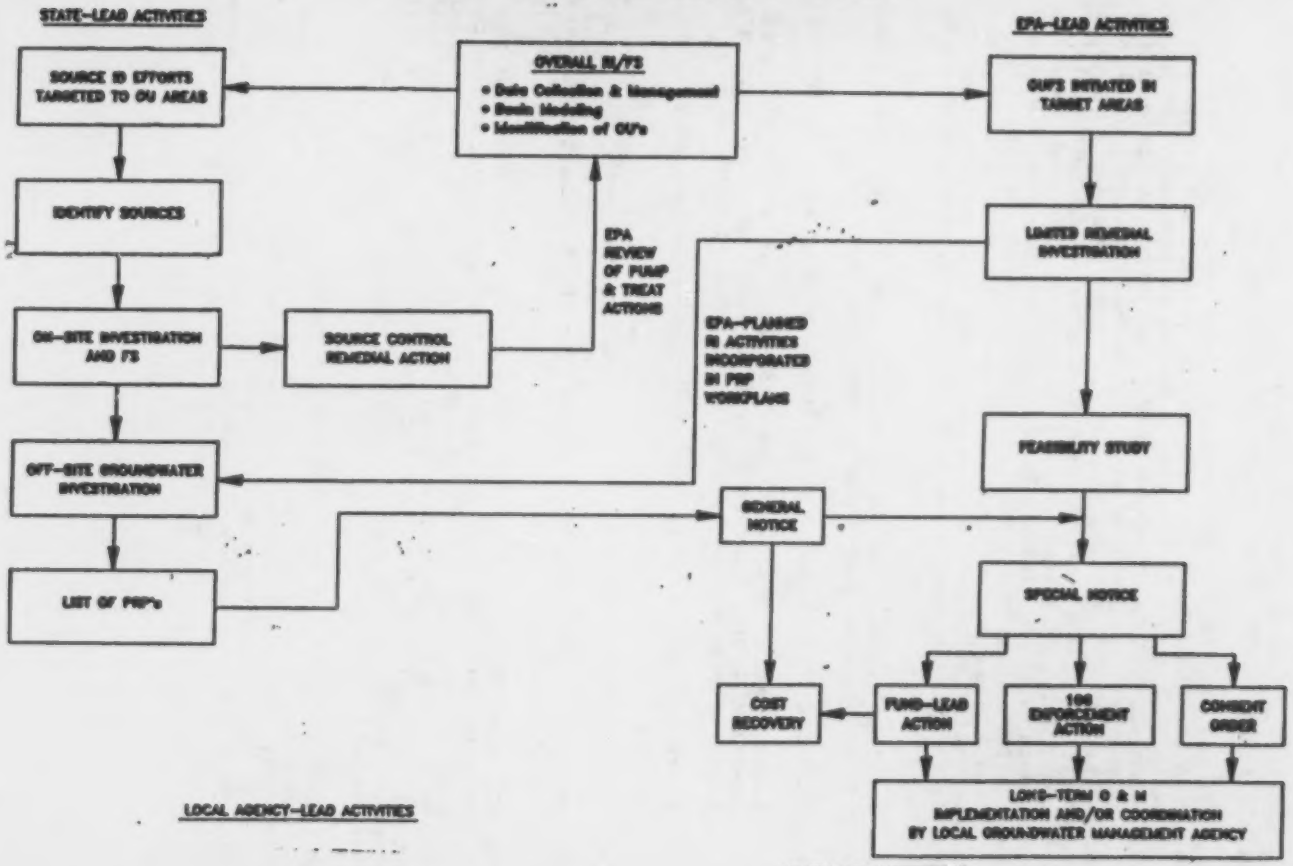


Figure 2

the probability of substantial recoveries to zero. Cost recovery for any state expenditures is equally as uncertain.

The EPA is currently reassessing their role and level of resources that will be committed to this project and should reach a decision at the end of the year. Region IX officials conducted a briefing for EPA Headquarters on May 11, 1989. At the briefing it was decided to continue with the present program until the basin technical management plan and Phase 1 remedial investigation report are finished in September or October 1989. At that point, decisions on the long-term role and resource commitments will be made. It was decided to make the South Baldwin Park Operable Unit (fourth proposed operable unit) enforcement lead rather than fund lead, thus lengthening the implementation schedule. EPA headquarters is also investigating methods to increase enforcement support for the proposed operable units.

Some of the alternatives that the EPA may be considering for their long-term role and resource commitment are:

1) Continue to fund the source cleanup program with the RWQCB.

2) Defer further activities in the basin to State and local agencies after the South Baldwin Park Operable Unit and possibly even after the Whittier Narrows operable unit.

3) Write off all efforts for cost recovery/enforcement on the proposed operable units.

4) Change future operable units to enforcement lead.

5) Pursue a legislative solution for implementation of the basin management plan.

The EPA position prior to the briefing was that DHS/TSCD must become more involved with enforcement and source cleanup or the EPA will be forced to direct resources away from future remedial actions. In fiscal year 1990 the EPA will be changing technical support contractors for this project, this may result in some project delays as the old contractor phases out and the new contractor phases in.

DHS/TSCD is currently experiencing a shortage of funding for site cleanups and is making major changes in the use of State funds. TSCD will focus energies on overseeing cooperative responsible parties and searching out and forcing, through court action, uncooperative responsible parties to clean up sites. State funds will only be used in emergency situations and on truly orphan, high-priority sites.

At the present time,the only state funding source specifically for the San Gabriel Valley is $1.4 million dollars appropriated by Senate Bill (SB) 1063. These funds are stipulated for construction, operation and maintenance of the Richwood Water Treatment Operable Unit. The State 10% share for the construction, operation and maintenance is $151,700 for fiscal year 1988-89 and will be taken from this fund. All future State expenditures for operation and maintenance of the Richwood Water Treatment Operable Unit will be from this fund. The state is also funding one position for the oversight of the preparation of the required CEQA documents for the Whittier Narrows Operable Unit and has been set aside $500,000 (out of a total $15 million dollars for statewide site clean up efforts) to complete the environmental impact report. One thing is clear, in order to maintain a balanced program statewide, TSCD cannot expend the enormous amounts of resources required to clean up the San Gabriel groundwater basin by the traditional approach.

It is apparent that a new approach based on new funding sources and local, State, and EPA cooperation will be needed to solve the contamination problems in the San Gabriel Valley. The cost and implementation problems of the traditional RI/FS cleanup approach, the complex historical ground water flow paths which make cost recovery unlikely, and the current shortage of State funds for cleanup activities make a change to the current approach imperative. The TSCD looks forward to working with the local agencies and EPA to formulate and implement a new approach to the contamination problems in the San Gabriel Valley.

TESTIMONY PRESENTED

TO

THE U. S. HOUSE OF REPRESENTATIVES COMMITTEE
ON SMALL BUSINESS, SUBCOMMITTEE ON
ENVIRONMENT AND LABOR

ON

SAN GABRIEL VALLEY SUPERFUND PROGRAM

BY

HANK H. YACOUB, P.E.
CHIEF, TOXICS PROGRAM

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
LOS ANGELES REGION

JUNE 5, 1989

SAN GABRIEL VALLEY GROUND WATER PROBLEM AND MANAGEMENT OF SUPERFUND SITES

MY NAME IS HANK H. YACOUB. I AM A SUPERVISING ENGINEER IN CHARGE OF THE CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD TOXICS PROGRAM IN LOS ANGELES REGION. I AM PLEASED TO BE HERE WITH YOU TODAY AND HOPE THAT MY TESTIMONY WILL HELP IN THE EFFORT TO FIND TIMELY SOLUTIONS TO THE GROUND WATER PROBLEMS IN THE SAN GABRIEL VALLEY. MY TESTIMONY TODAY WILL ATTEMPT TO DEFINE WHAT THE REGIONAL BOARD KNOWS ABOUT THE PROBLEM AND THE PLAN WE ARE NOW IMPLEMENTING FOR TACKLING ONE PART OF THE PROBLEM WITHIN THE OVERALL REMEDIAL ACTION STRATEGY FOR SAN GABRIEL VALLEY GROUND WATER BASIN.

THE PRIMARY DUTY OF THE REGIONAL BOARDS IS TO PROTECT THE QUALITY OF THE WATERS OF THE STATE FOR ALL BENEFICIAL USES: DRINKING, INDUSTRIAL, AGRICULTURAL AND RECREATIONAL AS DEFINED IN THE BASIN PLANS WHICH ARE THE FOUNDATION OF THE REGIONAL BOARD REGULATORY PROGRAMS. SPECIFIC REGULATORY RESPONSIBILITIES AND ENFORCEMENT AUTHORITY OF THE REGIONAL BOARDS ARE OUTLINED IN THE PORTER COLOGNE WATER QUALITY CONTROL ACT.

PRESENTLY, APPROXIMATELY ONE-HALF OF THE REGIONAL BOARD'S BUDGET IS DEVOTED TO GROUND WATER PROTECTION AND CLEANUP ACTIVITIES ASSOCIATED WITH A VARIETY OF REGULATORY AND ENFORCEMENT ACTIVITIES:

TESTIMONY PRESENTED TO THE UNITED STATES HOUSE OF REPRESENTATIVES COMMITTEE ON SMALL BUSINESS, SUBCOMMITTEE ON ENVIRONMENT AND LABOR. HEARING ON SAN GABRIEL VALLEY SUPERFUND PROGRAM, JUNE 5, 1989, BY HANK H. YACOUB, P.E., CHIEF, TOXICS PROGRAM, CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD, LOS ANGELES REGION.

SAN GABRIEL VALLEY GROUND WATER
PROBLEM AND MANAGEMENT OF SUPERFUND
SITES

1) LAND DISPOSAL REGULATIONS WHICH COVER HAZARDOUS AND NON-HAZARDOUS WASTE TREATMENT, STORAGE, AND DISPOSAL IN LANDFILLS, SURFACE IMPOUNDMENTS, WASTE PILES AND LAND TREATMENT FACILITIES.

2) THE SOLID WASTE DISPOSAL SITE ASSESSMENT (SWAT) PROGRAM MANDATES INCREASED COORDINATION BETWEEN SOLID WASTE DISPOSAL ENFORCEMENT AGENCIES AND THE TESTING OF ALL ACTIVE AND INACTIVE SOLID WASTE DISPOSAL SITES FOR LEAKAGE OF HAZARDOUS WASTES.

3) THE UNDERGROUND STORAGE TANKS PROGRAM IN WHICH LOCAL AGENCIES REPORT LEAKS TO THE REGIONAL BOARD AND THE BOARD OVERSEES GROUND WATER REMEDIAL INVESTIGATIONS AND CLEANUPS.

4) THE RCRA PROGRAM IN WHICH THE BOARD ASSISTS THE DEPARTMENT OF HEALTH SERVICES (DOHS) AND THE EPA IN GROUND WATER MONITORING AND INSPECTION OF RCRA FACILITIES.

5) THE TOXIC PIT CONTROL ACT (TPCA) REGULATES THE DISCHARGE OF HAZARDOUS WASTE CONTAINING FREE LIQUIDS IN SURFACE IMPOUNDMENTS TO ENSURE THAT THE EXISTING SURFACE IMPOUNDMENTS ARE EITHER MADE SAFE OR CLOSED.

6) WELL INVESTIGATION PROGRAM (WIP) IN WHICH THE BOARD HAS THE PRIMARY RESPONSIBILITY FOR IDENTIFYING DISCHARGE SOURCES THAT HAVE AFFECTED PUBLIC DRINKING WATER WELLS.

SAN GABRIEL VALLEY GROUND WATER
PROBLEM AND MANAGEMENT OF SUPERFUND
SITES

AS YOU HAVE HEARD TODAY, A PORTION OF THE SAN GABRIEL VALLEY GROUND WATER BASIN IS CONTAMINATED WITH TCE, PCE AND OTHER VOLATILE ORGANIC CHEMICALS. THE CONTAMINATION HAS BEEN CONFIRMED TO DEPTHS OF 700 FEET AND COVERS A WIDE AREA. APPROXIMATELY 16% OF THE DRINKING WATER SUPPLY WELLS HAVE BEEN FOUND TO CONTAIN TOXIC CHEMICALS AT CONCENTRATIONS ABOVE STATE ACTION LEVELS OR FEDERALLY PROPOSED CONTAMINANT LEVELS. GROUND WATER CONTAINING THESE CHEMICALS WILL PASS THROUGH THE WHITTIER NARROWS AND INTO THE CENTRAL BASIN IF REMEDIAL ACTION IS NOT TAKEN. REMEDIAL ACTION WILL NOT BE EFFECTIVE UNLESS EXISTING POLLUTION SOURCES ARE LOCATED AND REMOVED. IN ORDER FOR ANY REMEDIAL ACTION STRATEGY TO BE EFFICIENT, CONCENTRATED EFFORTS NEED TO BE PUT TO THE TASK OF IDENTIFYING AND CLEANING UP SOURCES THAT CONTINUE TO CONTRIBUTE CONTAMINATION TO THE GROUND WATER SUPPLY IN SAN GABRIEL VALLEY.

IN 1984, FOUR AREAS--EL MONTE, BALDWIN PARK, ALHAMBRA, AND LA PUENTE--WERE PLACED ON THE U.S. ENVIRONMENTAL PROTECTION AGENCY'S (EPA) NATIONAL PRIORITY LIST (NPL) FOR REMEDIAL INVESTIGATION. EPA HAS ESTIMATED THAT THE PLUME OF DEGRADED GROUND WATER COVERS AN AREA OF OVER 40 SQUARE MILES; THE NUMBER OF POTENTIAL SOURCES OF GROUND WATER CONTAMINANTS TO BE GREATER THAT 11,000; AND TOTAL COST OF INVESTIGATION AND CLEANUP TO APPROACH MORE THAN $800 MILLION.

THE GOAL OF THE LOS ANGELES REGIONAL BOARD IS TO PREVENT FURTHER DEGRADATION OF THE GROUND WATER IN THE SAN GABRIEL BASIN. TO THIS END, THE BOARD IS IMPLEMENTING AN ACTION PLAN TO EXPEDITE GROUND WATER INVESTIGATIONS AND CLEANUPS IN THE SAN GABRIEL VALLEY. I WILL RETURN TO DESCRIBE OUR PLAN IN A MOMENT BUT FIRST A FEW COMMENTS ABOUT WHAT WE KNOW ABOUT THE CONTAMINATION PROBLEM AND OUR

SAN GABRIEL VALLEY GROUND WATER
PROBLEM AND MANAGEMENT OF SUPERFUND
SITES

FINDINGS RELATED TO SMALL AND LARGE BUSINESSES WHICH MAY HAVE CONTRIBUTED TO THE GROUND WATER CONTAMINATION PROBLEM IN SAN GABRIEL VALLEY.

OF OVER 400 WATER WELLS IN THE VALLEY, 65 WELLS HAVE BEEN SHUT DOWN AND 245 WELLS HAVE BEEN FOUND TO CONTAIN ORGANIC CONTAMINANTS. WITHOUT AGGRESSIVE ACTION TO CLEAN UP THE BASIN THE SITUATION WILL GET WORSE: EPA PREDICTS THAT THE NUMBER OF DRINKING WATER WELLS TAKEN OUT OF SERVICE WILL MORE THAN DOUBLE IN THE NEXT 20 YEARS.

IN THE LAST TWO YEARS THE REGIONAL BOARD'S SOURCE IDENTIFICATION PROGRAM HAS CONTACTED OVER 2000 FACILITIES IN LA PUENTE, EL MONTE AND THE CITY OF INDUSTRY (ATTACHMENT A) APPROXIMATELY 1300 FACILITIES HAVE BEEN INSPECTED. THESE AREAS INCLUDE 25% OF THE ESTIMATED CONTAMINATED AREA IN THE BASIN AND 45% OF THE WELLS ABOVE ACTION LEVELS. NINETY GROUND WATER CONTAMINATION CASES ARE PRESENTLY BEING INVESTIGATED.

THE BOARD'S UNDERGROUND TANK LEAK DETECTION AND CLEANUP PROGRAM IS HANDLING OVER 800 SOIL AND GROUND WATER CLEANUP CASES IN THE REGION. APPROXIMATELY 30 GROUND WATER CLEAN UP CASES, ARE IN THE SAN GABRIEL VALLEY.

MAJOR SOURCES OF GROUND WATER CONTAMINATION--SUCH AS LEAKING TANKS--HAVE BEEN DISCOVERED AT SEVERAL LARGE COMPANY SITES WITHIN OUR INVESTIGATION AREAS. BOARD STAFF IS WORKING COOPERATIVELY WITH THE IDENTIFIED RESPONSIBLE PARTIES TO ELIMINATE THE SOURCES OF CONTAMINATION AND CLEANUP THE AFFECTED GROUND WATER. HOWEVER, OUR SOURCE INVESTIGATION PROGRAM HAS ALSO FOUND THAT SMALL AND MEDIUM

SAN GABRIEL VALLEY GROUND WATER
PROBLEM AND MANAGEMENT OF SUPERFUND
SITES

SIZE FACILITIES ARE CONTRIBUTING TO THE SOIL AND GROUND WATER CONTAMINATION PROBLEM IN THE SAN GABRIEL VALLEY. SLOPPY HOUSEKEEPING PRACTICES AND IMPROPER STORAGE AND DISPOSAL OF HAZARDOUS MATERIALS OR WASTES MAKE THESE SMALLER FACILITIES SIGNIFICANT CONTRIBUTORS TO THE OVERALL PROBLEM.

ADDITIONALLY, IT HAS BEEN FOUND THAT ABOVEGROUND TANKS, SUMPS, CLARIFIERS, EMPTY-DRUM STORAGE AREAS, AND OTHER SOURCES NOT NORMALLY GIVEN MUCH CONSIDERATION CONTRIBUTE SIGNIFICANTLY TO GROUND WATER CONTAMINATION. IN ESSENCE, THE REGIONAL BOARD SOURCE INVESTIGATION PROGRAM HAS BECOME A "CATCH ALL" PROGRAM IN ITS ATTEMPT TO LOCATE AND ABATE POTENTIAL SOURCES OF GROUND WATER CONTAMINATION.

FACILITIES WHICH SHOW SOIL AND GROUND WATER CONTAMINATION IN THE CURRENT INVESTIGATIONS HAVE BEEN PREDOMINANTLY OF SMALL TO MEDIUM SIZE. IT IS POSSIBLE THAT THE ADDITIVE EFFECTS OF THESE MULTIPLE SMALL TO MEDIUM SIZED FACILITIES MAY BE AS MUCH OF A FACTOR IN CONTAMINATING GROUND WATER AS A SINGLE LARGE FACILITY.

WHILE THE PRESENT LEVEL OF EFFORT IS SIGNIFICANT, IT IS NOT ENOUGH. ABOUT A YEAR AGO THE REGIONAL BOARD ENDORSED A PLAN TO EXPEDITE SOURCE IDENTIFICATION AND CLEANUP ACTIVITIES IN THE SAN GABRIEL VALLEY. BRIEFLY, THESE ACTIVITIES INCLUDE:

1) ACCELERATE THE UPDATE OF EXISTING WASTE DISCHARGE PERMITS FOR DISCHARGES TO LAND AND IDENTIFY DISCHARGERS IN UNSEWERED OR RECENTLY SEWERED AREAS FOR PERMITTING OR PROHIBITION OF TOXIC RELEASES.

2) ACCELERATE THE INVESTIGATION OF ACTIVE AND INACTIVE LANDFILLS UNDER THE EXISTING SWAT PROGRAM AND CORRECT ANY IDENTIFIED LEAKAGE PROBLEM.

3) ACCELERATE ALL PHASES OF THE UNDERGROUND TANK INVESTIGATION PROGRAM IN THE SAN GABRIEL VALLEY, INCLUDING MONITORING, PERMITTING, ASSESSMENT AND ENFORCEMENT OF CLEANUP. PARTICIPATION OF LOCAL CITY AND COUNTY AGENCIES IN THE STATE UNDERGROUND TANK PILOT PROGRAM IS CRUCIAL. THE REGIONAL BOARD VERY MUCH WANTS TO SEE SOME OF THE AVAILABLE STATE AND FEDERAL FUNDS FLOW TO LOS ANGELES COUNTY TO OVERSEE SOIL AND GROUND WATER CLEANUP IN SAN GABRIEL VALLEY. THE COUNTY HAS BEEN ASKED AND IS NOW CONSIDERING ITS PARTICIPATION IN THE PROGRAM; WE EXPECT A DECISION IN THE NEXT 30 DAYS.

4) EXPAND AND ACCELERATE BOARD INVESTIGATIONS TO LOCATE SOURCES OF DRINKING WATER WELL CONTAMINATION IN THE SAN GABRIEL VALLEY.

WE PROJECT THAT OVER A FIVE TO EIGHT YEAR PERIOD WE WILL HAVE INSPECTED APPROXIMATELY 7000 FACILITIES AND CONDUCTED 1200 SITE ASSESSMENTS OF POTENTIAL RESPONSIBLE PARTIES BASED ON OUR EXPERIENCE TO DATE. THE RESULTS OF THIS INTENSIVE SOURCE IDENTIFICATION PROGRAM WILL FEED INTO EPA'S BASINWIDE CLEANUP EFFORT AND ENFORCEMENT FOR COST RECOVERY.

THE REGIONAL BOARD SOURCE DISCOVERY AND INVESTIGATION PROGRAM IS

SAN GABRIEL VALLEY GROUND WATER
PROBLEM AND MANAGEMENT OF SUPERFUND
SITES

A KEY COMPONENT OF THE INTERAGENCY ENFORCEMENT STRATEGY FORMULATED AMONG ENVIRONMENTAL PROTECTION AGENCY, STATE DEPARTMENT OF HEALTH SERVICES, AND THE REGIONAL BOARD. EPA IS WORKING CLOSELY WITH STATE AND LOCAL AGENCIES TO COORDINATE THE EFFORTS OF ALL PARTIES INVOLVED.

BASED ON OUR ACTIVITIES AND DISCUSSIONS WITH THE ENVIRONMENTAL PROTECTION AGENCY (EPA), THIS REGIONAL BOARD THROUGH THE STATE BOARD PROPOSED A COOPERATIVE AGREEMENT WITH THE EPA TO ACCELERATE THE DISCOVERY OF POTENTIAL SOURCES OF CONTAMINATION IN THE SAN GABRIEL VALLEY. ALTHOUGH EPA ACCEPTED THE PROPOSAL, SOME DELAYS WERE FORESEEN IN THE FUNDING, THEREFORE, THE STATE APPROPRIATED FUNDS TO INITIATE THE ACCELERATED PROGRAM. THIS INITIAL FUNDING HAS PROVIDED THE ADDITION AND TRAINING OF NEW TECHNICAL STAFF FOR THE REGIONAL BOARD SOURCE INVESTIGATION PROGRAM. UNDER THE EPA COOPERATIVE AGREEMENT, THE FOLLOWING AREAS ARE BEING ADDED TO THE BOARD'S SOURCE INVESTIGATIONS. AZUSA, IRWINDALE, BALDWIN PARK AND WHITTIER NARROWS (ATTACHMENT B). WE ARE CURRENTLY PREPARING A SUBMITTAL TO THE EPA FOR EXTENSION OF THE FUNDING THROUGH THE NEXT YEAR.

THE SUCCESS OF THIS PROGRAM WILL REQUIRE ADDITIONAL RESOURCES AND THE SUPPORT OF THE EPA, THE STATE LEGISLATURE, THE LOCAL AGENCIES, WATER PURVEYORS AND THE COOPERATION OF THE POTENTIALLY RESPONSIBLE PARTIES IF IT IS TO MOVE AHEAD AND BE COMPLETED IN A TIMELY MANNER.

THE REGIONAL BOARD IS COMMITTED TO THE PROTECTION OF GROUND WATER AND RECOGNIZES THE COMPLEXITY AND MAGNITUDE OF THE PROBLEMS IN THE SAN GABRIEL BASIN. WE SHARE EPA'S POSITION THAT ALL PARTIES THAT

HAVE CONTRIBUTED TO THE PROBLEM MUST PAY THEIR FAIR SHARE OF COST TO CLEAN UP AND RESTORE THE BENEFICIAL USES OF THE BASINS GROUND WATER.

THANK YOU!!

ATTACHMENTS

WIP PROGRESS SUMMARY REPORT.....ATTACHMENT A

FACT SHEET.....ATTACHMENT B

ATTACHMENT A

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
LOS ANGELES REGION

WELL INVESTIGATION PROGRAM SUMMARY
MAY 1989

PROGRAM OBJECTIVES

The State and Regional Boards Well Investigation (AB1803 Follow-Up) Programs have the primary responsibility to identify sources of discharge that have affected public drinking wells. This objective is accomplished by: (1) determining the suspected dischargers of each polluted well; (2) taking appropriate action to initiate ground water investigations by those facilities with confirmed discharges; (3) ensuring that these investigations are conducted such that if a cause-and-effect relationship exists between a confirmed discharger and a polluted well, it will be discovered; and (4) transferring each site to the appropriate lead agency or to Superfund or other appropriate program for cleanup.

PROGRAM SUMMARY

Assembly Bill 1803 passed in 1983 required the California Department of Health Services to sample drinking water supply wells for organic chemical contaminants. These tests and testing done by others have resulted in locating over 585 wells with detectable contamination in the Los Angeles Region. Of these, 189 are labeled Priority I wells and contain contaminants exceeding the Department of Health Services action levels.

The large number of contaminated wells in this region called for a consistent, systematic approach to the problem. To fulfill this mandate, the Regional Board embarked upon an investigation program aimed at: 1) determining responsible parties and 2) establishing a cause-and-effect relationship between a discharger and a contaminated well.

Investigations of contaminated drinking water wells began in the San Gabriel Valley ground water basin. The first investigation, initiated in November 1985, centered around eight wells located in La Puente, which serve the community of Hacienda Heights. The El Monte area, encompassing 36 listed wells, was added in January 1987 and subsequently expanded to include South El Monte. Since several sites already under investigation by Board staff were located in the City of Industry along San Jose Creek, this area containing five contaminated wells was opened up for investigations.

The investigation in the Pomona area began in June 1986 as a potential area for evaluating a systematic program of investigations. There are currently two Priority I wells in this area.

In the spring of 1987, the San Fernando Valley Basin was added to the investigations with a listing of facilities in the North Hollywood/Burbank area encompassing 64 listed wells. Facilities upgradient of the Lockheed Aeronautical Systems Company in Burbank and to the south of Burbank Airport and Lockheed in the southern portion of NH/B have been inspected to complete most of the investigations around the Burbank well field.

Various lists of businesses and an actual field reconnaissance are used to develop a list of potential target sources. Chemical use questionnaires developed for this program are then sent to these facilities and all sites are inspected after review of the returned data. These site visits are used to identify suspect dischargers and to request work plans for site assessment from potential dischargers. A general flow diagram of the program activities and status table are attached.

Investigation areas in both the San Gabriel and San Fernando Valleys are in EPA Superfund sites. We are, therefore, working closely with the EPA Project Officers in these areas. In the San Fernando Valley, EPA has notified 27 facilities as potentially responsible parties based on our activities. In the San Gabriel Valley, a cooperative agreement was signed on March 30, 1989 with the EPA to accelerate source investigations. EPA is funding aspects of the Program from the development of facility lists to confirmation of discharge to ground water.

Two Resolutions were approved by the Regional Board on April 24, 1989 and subsequently by the State Board on May 16, 1989:

1. Resolution to apply for and accept a grant from EPA, Region IX, to continue the accelerated source investigation activities in the San Gabriel Valley.

2. Resolution to apply for and accept a grant for a cooperative agreement with the EPA, Region IX, to accelerate source investigations activities in the San Fernando Valley.

Currently, $210,000 made available by the state legislature are being used to initiate source investigation activities in the San Gabriel Valley prior to use of federal funds.

Under EPA Cooperative Agreement, the following areas are being added to the Board's source investigations: Azusa, Irwindale, Baldwin Park and Whittier Narrows. These new areas will increase wells above action levels under investigation from 45% to 75% of those in the San Gabriel Valley.

SOURCE INVESTIGATION STATUS
(TOXICS INVESTIGATIONS UNITS, LOS ANGELES REGION)

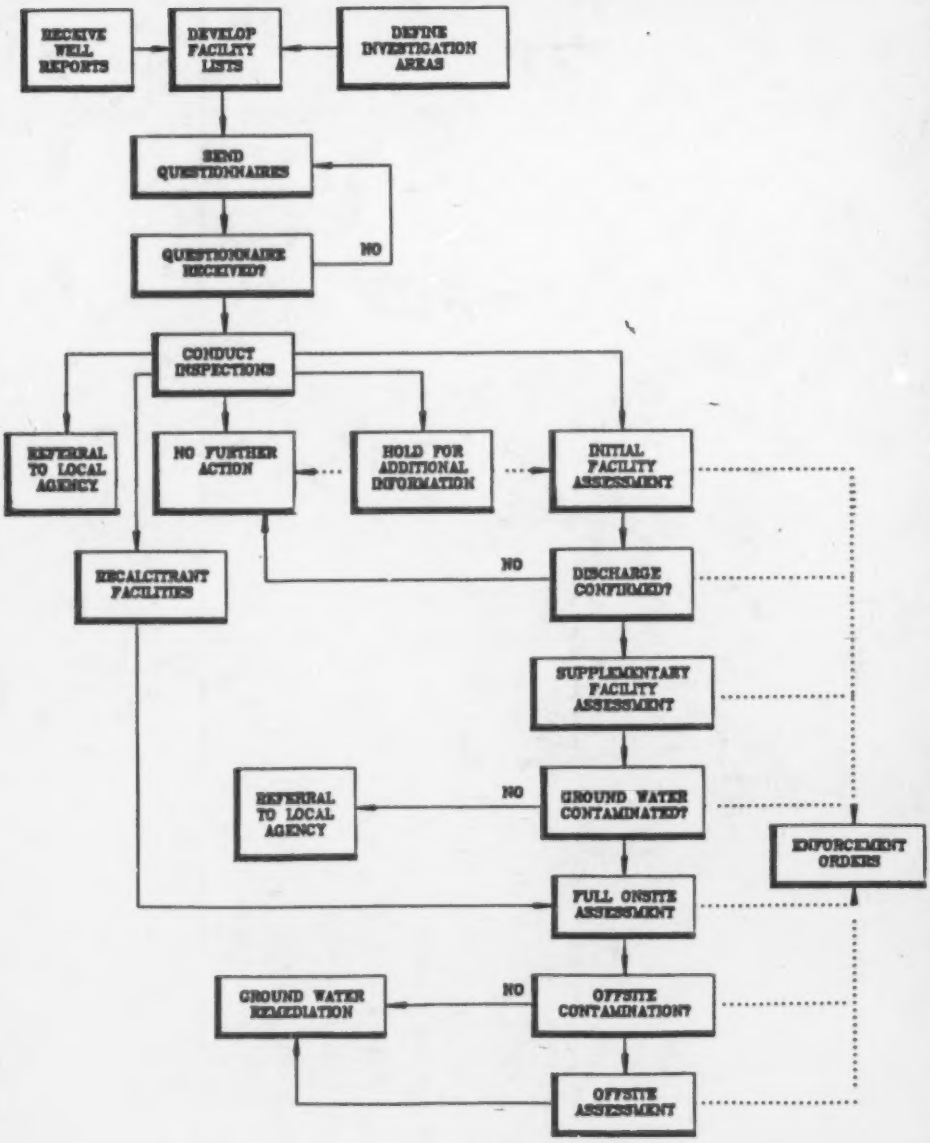
	LA PUENTE	POMONA	ELMONTE	N. HOLLYWOOD BURBANK	INDUSTRY	TOTALS
Contaminated Wells	10	2	65	64	7	148
Wells Above AL	5	2	26	40	5	78
Investig. Area (sq. mi.)	7	6	16	13	7	49
Facilities Contacted	257	74	1717	1678	323	4049
Facilities Inspected(1)	112	43	984	685	123	1947
Investigations on Hold(2)	20	2	180	75	18	295
Subsurface Investigations						
Work Plan Requested	64	12	90	79	41	286
Water Investigation	37	3	37	6	14	97

(1) Includes duplicates/out of business, etc.
(2) Lower priority sites/transferred sites

03/89

LOS ANGELES REGIONAL WATER QUALITY CONTROL BOARD

SOURCE INVESTIGATION SEQUENCE



ATTACHMENT B

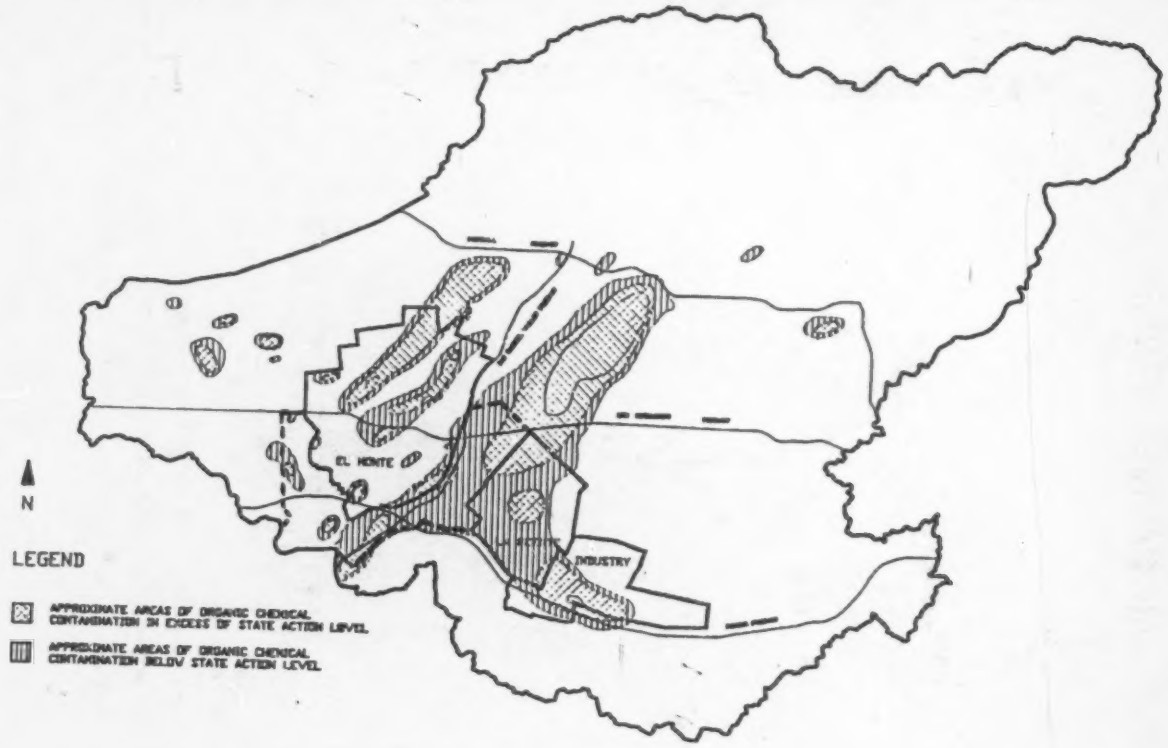
FACT SHEET
SAN GABRIEL VALLEY

- CONTAMINATION: TCE, PCE, CTC and other chlorinated VOCs.
- No extensive geologic barriers to prevent vertical migration.
- Contamination confirmed to depths over 500-700 feet in some areas of the basin.
- 80 of approximately 400 drinking-water wells contaminated above MCLs or ALs.
- 46 water purveyors operate in the basin.
- Ground water drains to Central Basin through Whittier Narrows.

- INTERBASIN ADJUDICATION: guaranteed flow into Central Basin.
- BASIN USED FOR STORAGE: imported and reclaimed waste water.
- POTENTIALLY AFFECTED POPULATION:
  - * San Gabriel Valley - 700,000 to 1,000,000
  - * Central Basin - over 1,000,000
- Approx. 1/3 of historical ground water production affected.
- Replacement of ground water by surface water unfeasible on regional basis.
  - * Potentially a Class I aquifer.
  - * Ground water supplies 93% of current water use.
  - * Imported water cost extremely high ($232/acre-foot plus additional cost for distribution facilities vs. $30 to $60/acre-foot for ground water.

- WHY ACT NOW? Great potential for spread of contamination.
  - * 35 wells threatened by contamination within 5 years.
  - * 90 wells threatened by contamination within 20 years.
  - * Strong potential for migration into Central Basin.

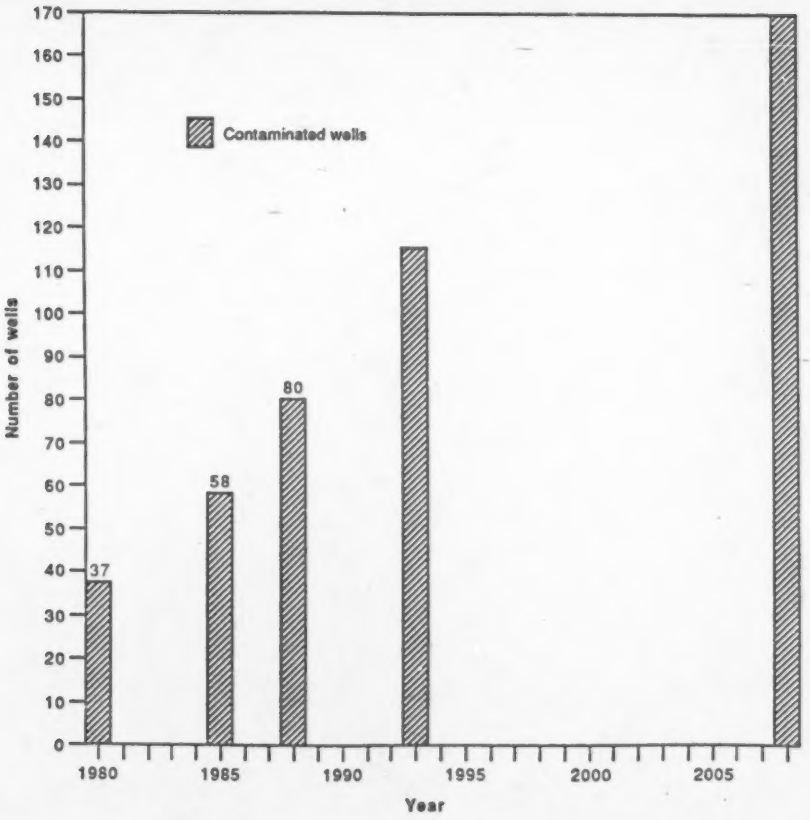
- WELL INVESTIGATION PROGRAM (AB 1803 FOLLOWUP)
  - * Regional Board investigation areas include: El Monte, Industry, LaPuente, South El Monte.
  - * Under EPA Cooperative Agreement, the following are being added to Board investigations: Azusa, Irwindale, Baldwin Park, Whittier Narrows.
  - * These new areas will increase wells above ALs in investigation areas from 45% to 75%.


EL MONTE
INDUSTRY
N
LEGEND
APPROXIMATE AREAS OF ORGANIC CHEMICAL CONTAMINATION IN EXCESS OF STATE ACTION LEVEL
APPROXIMATE AREAS OF ORGANIC CHEMICAL CONTAMINATION BELOW STATE ACTION LEVEL

SAN GABRIEL VALLEY AB 1803 FOLLOWUP INVESTIGATIONS

SAN GABRIEL VALLEY

WELL CONTAMINATION vs. TIME



Sources of Information:

1. Environmental Protection Agency's San Gabriel Valley Superfund Investigations.

2. California Department of Health Services, Sanitary Engineering Branch, AB 1803 Well Monitoring Program.

3. Los Angeles Regional Water Quality Control Board, AB 1803 Follow-up Investigation.

SOURCE INVESTIGATION STATUS
SAN GABRIEL VALLEY
(TOXICS INVESTIGATIONS UNITS, LOS ANGELES REGION)

	LA PUENTE	ELMONTE	INDUSTRY	TOTALS
Contaminated Wells	10	65	7	82
Wells Above AL	5	26	5	36
Investig. Area (sq. mi.)	7	16	7	30
Facilities Contacted	257	1717	323	2297
Facilities Inspected(1)	112	984	123	1219
Investigations on Hold(2)	20	180	18	218
Subsurface Investigations				
Work Plan Requested	64	90	41	195
Water Investigation	37	37	14	88

(1) Includes duplicates/out of business, etc.
(2) Lower priority sites/transferred sites

03/89

TESTIMONY OF
JEFF ZELIKSON
DIRECTOR, HAZARDOUS WASTE MANAGEMENT DIVISION
BEFORE THE UNITED STATES HOUSE OF REPRESENTATIVES
SUBCOMMITTEE ON ENVIRONMENT AND LABOR

JUNE 5, 1989

BALDWIN PARK, CALIFORNIA

Good morning Mr. Chairman and members of the subcommittee. I am Jeff Zelikson, Director of the Hazardous Waste Management Division in EPA's San Francisco Regional Office. My responsibilities cover EPA's activities at the San Gabriel Valley Areas 1-4 Superfund sites and encompass all Superfund and hazardous waste regulatory activity for EPA's Western Regional office.

I am pleased that you are holding this hearing on the San Gabriel Valley sites at this time. We are nearing completion on a long-term management plan for the sites, and your hearing will help us to increase public awareness of several key issues. As requested, I will focus my comments on EPA's management of the sites, our efforts to identify Potentially Responsible Parties (PRPs) associated with the site and compel them to fund appropriate remedial actions, and potential effects on small businesses.

The San Gabriel Valley groundwater contamination problem has long been recognized as a significant threat to public health and the environment. Four large areas of groundwater contamination were placed on the National Priorities List for Superfund cleanup in 1984. EPA is managing the cleanup of all four sites as a single project, however, since the areas of contamination are in the same groundwater basin and remedial actions in one area may have an

effect on other areas of contamination within the basin. Since 1985, EPA has been designated as the lead agency for site management, which includes investigating the extent of contamination and developing, designing, and implementing remedial actions.

The San Gabriel site is unique among Superfund sites with respect to the magnitude of the extent of groundwater contamination. When the sites were listed on the NPL, the problem was defined solely on the basis of contaminated public supply groundwater wells; the specific sources of contamination were (and still are to some extent) unknown. While it is listed on the NPL as only four sites, it is in fact regional groundwater contamination caused by potentially hundreds of separate sources making varying contributions to the contamination. The area of contamination is immense: over 20% of the nearly 200 square-mile basin currently has volatile organic chemical (VOC) contamination at levels above the federal or state drinking water standards. Another fairly unique aspect of the San Gabriel Valley contamination is its depth. In some areas, there is known groundwater contamination to depths greater than 700 feet. The depth of contamination presents potential technical and cost problems in managing both the investigation and cleanup of the site. Some of the highest levels of VOC contamination (over 1000 parts per billion of the solvent trichloroethylene--over 200 times the federal drinking water standard) in deep public water supply

wells (300 - 1000 feet deep) at any Superfund site are found within the San Gabriel Valley. Contaminant levels in about 70 of approximately 250 existing groundwater production wells exceed drinking water standards, and use of such water without treatment would violate the Safe Drinking Water Act.

The groundwater contamination threatens a groundwater resource that is extremely important to California's water supply picture. Over 200,000 acre-feet of groundwater is produced annually within the San Gabriel Valley, which represents over 90% of the water supply needs of the local population of over one million people. In addition, groundwater (as well as a small amount of surface water) drains from the San Gabriel Valley into Central Basin, which provides water to a population of significantly greater than one million.

Another factor that adds to the complexity of managing the San Gabriel site is the institutional complexity. Over 40 different public water supply purveyors operate in the valley in over 15 different municipalities, as well as approximately 20 industrial/commercial users who extract groundwater for their own use. The water purveyors range in size from small mutual water companies that provide water to less than 200 families to large private utilities serving more than 100,000 people. In addition to private water companies, a number of municipal water systems or county water districts operate in the valley. Water rights have been adjudicated and are administered by the Main San Gabriel Basin

Watermaster, which was established by the Superior Court of California in settling the water rights litigation. A separate water rights adjudication has been established to regulate the flow of groundwater and surface water from the San Gabriel Valley to the Central Basin to the south. Two Municipal Water Districts exist to buy imported surface water for groundwater recharge. Several state and local agencies also have involvement with groundwater issues in the San Gabriel Valley.

Since EPA began managing the San Gabriel Valley site in 1983, we have expended $13.5 million in focusing our efforts in three areas: 1) planning and implementation of interim actions to address the most serious potential public health problems; 2) developing a long-term strategy for managing the valley's groundwater contamination problem; and 3) identifying and investigating sources of contamination.

When initiating activities at any Superfund site, our first priority is to address any pressing potential threats to public health. After the contamination was first identified in 1979, the local water purveyors took whatever interim steps were necessary to provide clean water. Water purveyors shut down the most contaminated wells, began treating contaminated groundwater, or blended water from clean and contaminated wells to ensure that water supplied to customers did not exceed recommended contaminant levels established by the California Department of Health Services (Federal drinking water standards were not established at the

time).

By 1983, all water purveyors within the valley, except for three small mutual water companies in El Monte, were able to supply water that met state guidelines for drinking water. Therefore, EPA prepared a Focused Feasibility Study in 1983 to identify a cost-effective remedial action to provide the public served by the three mutual water companies with clean water. After considering public comments, EPA selected an air stripping treatment system as the best remedy. One of the water companies--Hemlock Mutual Water Company--chose not to participate in the Superfund project and to fund installation of their own system. Problems identified during the subsequent design phase led EPA to propose changing the remedy to a carbon adsorption treatment system. After a new public comment period, EPA formally changed its remedy selection in September 1987. A carbon adsorption system has been built for the Richwood Mutual Water Company at a cost of approximately $1.5 million. Construction is complete and startup of the system will begin within the next month. Construction of the treatment system for the third mutual water company was put on hold after contaminant levels in their wells decreased to below drinking water standards; however, a treatment system design was completed so that construction could begin immediately if the levels begin to rise again in the future.

While efforts were underway to solve the water quality problem in El Monte Mutual's service area, EPA initiated a limited

initial investigation of the overall site that included comprehensive sampling of San Gabriel Valley production wells for a full range of organic contaminants and modeling of groundwater flow in the valley. A final report for this investigation, termed the Supplemental Sampling Program (SSP), was publicly released in May 1986.

Three main conclusions were drawn from this investigation. First, the contamination was found to be more widespread than previously thought based on the data available when the sites were listed on the NPL. Second, there was a high potential for the contamination to spread within the valley. Regional groundwater velocities were estimated to be as high as 1000 feet per year. If the contamination was assumed to migrate at the same speed as groundwater flow, an estimated 36 additional groundwater production wells were potentially threatened by contamination within the next 5 years. The third conclusion, and perhaps the most significant, drawn from the evaluation of available data was that there was a high potential for groundwater contamination to migrate from the San Gabriel Valley into the Central Basin to the south through a two-mile gap in the hills surrounding the valley called the Whittier Narrows. Migration of contamination through the Whittier Narrows could threaten additional wells in the Central Basin and the drinking water supply for a large population outside of the San Gabriel Valley.

In 1986, after the completion of the Supplemental Sampling Program, EPA began developing the workplan for the San Gabriel Valley Remedial Investigation/Feasibility Study (RI/FS). As part of this workplan development, EPA examined the need to initiate additional interim actions to stabilize the problem and address the most serious public health threats. During this time, EPA was contacted by Suburban Water Systems (SWS), a large private water utility serving customers in both the San Gabriel Valley and the Central Basin. SWS was concerned over rising contaminant levels at their Bartolo Well Field, located in the Whittier Narrows area of the San Gabriel Valley. This well field supplies over 70% of the water supply for 17,000 households in the City of Whittier. SWS had completed a study of alternatives for ensuring a safe water supply in the event that contaminant levels rose above the drinking water standards. Their study concluded that installation of an air stripping treatment system would be the best option.

The four wells at the Bartolo Well Field were included in the list of 36 wells that EPA's Supplemental Sampling Program concluded were potentially threatened by contamination in the next five years. After evaluating the situation, EPA initiated the Bartolo Well Field Operable Unit Feasibility Study (OUFS) to develop and evaluate alternatives for addressing contaminant migration and the potential public health threat posed by contamination at the Bartolo Well Field. These particular wells were designated for priority treatment for several reasons: 1) they were the primary

water supply for a large population--no long-term water supply options were immediately available; 2) there was a potential for the entire well field to become contaminated within a very short time-frame due to the proximity of the four wells to each other; and 3) treating the contaminated wells could potentially help control migration in the Whittier Narrows area since these were large capacity wells (10,000 gallons per minute total capacity) that would capture contaminated groundwater from across a wide area.

The Bartolo Well Field OUFS was released for public comment along with EPA's proposed remedial action plan in June 1988. The proposed plan included installation of an air stripping treatment system with air emission controls, and, if feasible, modification of the existing wells to preferentially extract water from the most contaminated portion of the aquifer. After reviewing public comments received, EPA selected the proposed plan as the remedy for the Bartolo Well Field operable unit. The Army Corps of Engineers is currently managing the design of the remedial action, which has an estimated capital cost of $5.5 million and operating costs of approximately $800,000 per year. Construction is scheduled to begin in September 1989, and operation of the treatment plant is planned to begin in September 1990.

EPA also expended much effort to evaluate whether interim actions should be planned for other water purveyors in the San Gabriel Valley with wells potentially threatened by groundwater

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contamination. In April 1987, EPA notified the purveyors who owned the 36 wells identified as potentially threatened by contamination and invited them to a meeting to discuss the situation. A questionnaire was distributed to the water purveyors to obtain information as to how critical the potentially threatened wells were to the purveyors' water supply systems. Seven of the water purveyors responded with information regarding their systems. EPA conducted evaluations of the water systems of these seven water purveyors, as well as for an additional small mutual water company, whose well had recently become contaminated. Based on the completed evaluations, however, EPA determined that the existing situation did not warrant any additional interim actions focused on any single water purveyor. While some potential water supply problems were identified, EPA decided to address these problems through large areawide remedial actions that would encompass several water purveyor systems.

As I previously mentioned, a major conclusion of EPA's initial investigation was that contamination was potentially migrating through the Whittier Narrows area into Central Basin where additional public supply wells would be threatened. To address this problem immediately, EPA identified the overall Whittier Narrows area as the third interim remedial action (or operable unit). EPA is currently preparing an Operable Unit Feasibility Study (OUFS) that evaluates alternatives for controlling the migration of contamination through the Whittier Narrows area. We

are on scheudle to release the OUFS and our proposed Whittier Narrows remedial action plan for public comment in September. Preliminary estimates of the cost of the Whittier Narrows remedial action range from $10-40 million in capital costs and $1-5 million in annual operating costs.

While EPA has been actively involved in planning and implementing interim remedial actions to address the most serious potential public health problems, we have also been working to develop a long-term strategy for managing the valley's groundwater contamination problem. When we began our efforts, we envisioned a single remedial investigation/feasibility study (RI/FS) that would evaluate basinwide remedial actions. During development of the RI/FS workplan, however, it became very clear that the typical Superfund RI/FS process did not apply. The cost of a traditional Superfund remedial investigation of the San Gabriel Valley would be prohibitive and would take many years to complete. Because of the large area affected by contamination and the potential depth of contamination, tens of millions of dollars could be easily spent on investigation to obtain a limited knowledge of the true extent of the contamination.

To help focus our efforts, EPA conducted a preliminary evaluation of potential basinwide remedial response alternatives. We identified a range of objectives from simply allowing continued use of the groundwater in the basin through existing wells to aggressively controlling the migration of contamination within the

basin and significantly lowering ambient contaminant concentrations. We made preliminary estimates of the cost and implementation time for various remedial actions, as well as the investigation necessary to fully evaluate the identified actions.

One basic conclusion that can be drawn from this analysis is that Superfund actions in the San Gabriel Valley should not be viewed as "cleanup" or aquifer-wide restoration actions, in the sense that EPA actions will restore the San Gabriel Basin to a condition where production wells can be drilled anywhere and clean water extracted. Even the most aggressive remedial action costing hundreds of millions of dollars will not "clean up" the aquifer in any reasonable time frame (such as less than one hundred years). In fact, in some areas, the feasibility of controlling contaminant migration is in doubt. Therefore, remedial actions should be viewed more as a means to "manage" the groundwater contamination to allow the continued use (and possibly future expanded use) of the valley's groundwater resource.

The preliminary evaluation also led us to identify two major implications with respect to addressing the contamination problem. First, because of the fact that most facilities installed as part of a remedial action (e.g., extraction wells, treatment plants, water pipelines) can be considered "permanent" facilities for all intents and purposes, there will be a significant long-term operating cost (as well as potential replacement costs) associated with these facilities. Our preliminary evaluation estimated that

the annual operating costs could range from $10-30 million. Under Superfund, these costs would be a state/local responsibility within one to ten years, depending on the type of action. Assuming these costs were spread around the entire population of the San Gabriel Valley (approximately one million), the per capita cost would be $10-30 per year.

The second implication that has been identified is the need for a single agency to coordinate management of groundwater from a water quality perspective. Currently, the Main San Gabriel Basin Watermaster manages groundwater supply from the San Gabriel Basin. Any water purveyor may pump as much water from whatever location it wants to. If the pumping exceeds the purveyor's water rights, an assessment is charged that allows the Watermaster to buy imported surface water for groundwater recharge. It is clear from our evaluation, however, that any plan to control the migration of contamination within the basin must include coordination of groundwater pumping, since it appears that groundwater pumping is a primary force underlying the movement of groundwater in the basin. There is no current system in place to coordinate the pumping and recharge of groundwater in a manner to minimize contaminant migration.

The problem this situation has presented can be illustrated by examining the effect of actions purveyors have taken since the contamination was first identified in 1979. As I previously described, purveyors have taken a number of interim actions to

ensure that public health was protected. In general, these have included shutting down wells, drilling new wells, blending water from different wells, and in limited instances treatment of contaminated groundwater. In many cases, these actions have probably led to increased migration of contamination within the aquifer. For example, by shutting down contaminated wells, contamination that was previously captured would continue to migrate; drilling new wells may have the effect of drawing contamination toward previously clean areas or depths.

I do not want to give the impression that I am being critical of all these actions. In many cases, shutting down wells is the only action that can be taken in the short-term to ensure public health is protected. But in the long-term, we can see the classic example of the "commons" problem of allocating public goods. In medium-term and long-term planning, each purveyor examines its own situation and selects what is its own least-cost option for supplying water. In most cases, it is cheaper to shut down contaminated wells and drill new wells rather than installing expensive treatment equipment. Or for another example, where treatment facilities have been installed, they are used as the last water supply facilities to be used, thereby ensuring the lowest operating costs rather than used as the base-load water supply, which would provide for more removal of contamination from the aquifer. Unfortunately, such actions are to the detriment of the long-term water quality situation in the basin. Where migration of

the contamination is enhanced, it may affect other water purveyors, not the one who chose the "least-cost" alternative.

For successful management of contamination in the valley, an agency with the authority to manage use of the groundwater in a way to limit contaminant migration must be established. Such an agency could also take a lead in pursuing use of the basin as a storage reservoir for imported surface water during wet years for use during droughts or other emergencies. The geology of the San Gabriel Basin is quite favorable for use as a storage reservoir. If a way to use the basin's storage capacity, while controlling contaminant migration, can be found, the value of the groundwater resource of the San Gabriel Valley as part of California's overall water supply system can potentially be significantly enhanced. This would provide additional environmental benefits by reducing the need to increase supplies of imported surface water, which is associated with potentially significant adverse environmental effects.

For approximately the past year as part of the RI/FS, EPA has been working on developing an overall long-term management plan for the San Gabriel Basin. Using water quality and hydrogeologic data obtained from existing groundwater wells in the valley to lower our investigation costs, we evaluated the extent of the contamination problem. We are now in the process of drafting a long-term management plan that will outline a manageable, sequential program for developing an overall groundwater management plan for the San

Gabriel Basin over the next few decades.

The third area in which EPA has been focusing its efforts has been the identification and investigation of sources of contamination. During EPA's first few years managing the San Gabriel site, priority was given to responding to the most pressing potential public health problems. Identifying sources is another crucial component to successful management of the groundwater contamination problem. Sources must be found and controlled to ensure the success of any basinwide remedial actions. These sources must also be identified for efficient implementation of areawide remedial actions.

EPA's source investigation efforts have included sending information request letters to almost 300 industrial/commercial facilities in the valley that are potential users of chlorinated solvents. Additional efforts have included reviewing existing federal, state and local files, issuing follow-up information request letters, and conducting inspections of high priority facilities. We have also coordinated our efforts with other existing programs that address potential sources of groundwater contamination such as the Resource Conservation & Recovery Act (RCRA) program and state and local environmental programs.

One such state program that has proved to be tremendously successful in identifying sources is the Los Angeles Regional Water Quality Control Board's (RWQCB) well investigation program. In this program, an industry survey is conducted in the area surrounding

contaminated wells. Chemical-use questionnaires are sent to the identified facilities and walk-through site inspections are conducted. Facilities are directed to conduct leak detection programs including soil sampling for areas where chemicals are stored or handled. If soil contamination is found, the facility is directed to investigate groundwater quality beneath their facility to determine if groundwater contamination has occurred. In the three areas in which the RWQCB has focused its efforts to date--La Puente, City of Industry, and the El Monte area--over 70 facilities have found soil contamination and are currently investigating groundwater. If the results of the RWQCB program are extrapolated across the entire valley, it appears that several hundred sources have potentially contributed to the contamination problem.

Due to the RWQCB program's initial success, EPA decided to provide funding to the state to expand this effort into other areas of the valley. Recently, EPA provided $556,000 in funding to the RWQCB to add ten full-time position to its source investigation program for 1988. As part of our Cooperative Agreement with the RWQCB, EPA will be determining priority areas for investigation. These areas will be selected to coincide with those areas where EPA remedial actions have been implemented or are needed so that responsible parties can be identified for enforcement actions to fund or implement remedial actions.

EPA has also developed a draft interagency enforcement strategy in cooperation with state agencies. Under this strategy, which has been agreed upon in principle by the State Water Resources Control Board and the RWQCB, EPA will focus on planning areawide remedial actions and undertaking enforcement cases against groups of responsible parties to obtain funding for these actions. The state will be responsible for identifying sources and ensuring that the sources are completely investigated and that appropriate source control actions are taken. EPA will not be formally involved in enforcement action to compel implementation of source control actions except for specific high priority cases. We will, however, be involved in enforcement actions seeking recovery of costs and performance of work. EPA has invested a significant amount of Superfund Trust Fund money to manage the San Gabriel site. Approximately $8.5 million has been spent to date on the overall RI/FS, source identification efforts, and preparation of operable unit feasibility studies. This represents one of the most expensive and wide-ranging RI/FS projects in the entire nation. In addition, EPA has committed to using the Trust Fund to implement the first three operable units at the San Gabriel site; an investment that could be a high as approximately $40 million in capital costs and $5 million in annual operating costs for up to 10 years, plus continued federal funding of enforcement resources at EPA and the Los Angeles Regional Water Quality Control Board.

Because the San Gabriel site must compete for limited

Superfund resources, EPA has focused on implementing the actions that had highest priority with respect to protecting public health. Protecting public health will remain our overall focus with respect to establishing priorities for enforcement actions.

Consistent with our Congressional mandate, however, greater emphasis will also be placed on identifying sources and initiating enforcement action to implement areawide remedial actions. Starting with our next operable unit in the Baldwin Park/Azusa area (which is the area with the highest levels of contamination in the valley), EPA will implement the remedial action using its enforcement authorities.

It is this area of management of the San Gabriel sites--enforcement--that has the greatest potential effect on small businesses. The RWQCB well investigation program has identified several relatively small businesses as potential sources of groundwater contamination. The basic problem is that the contaminants of concern, such as perchloroethylene (PCE), are used widely in commerce. The nature of the contamination problem is that even a relatively small user of chlorinated solvent can cause major contamination of groundwater if the solvent is not properly disposed of. The cost of completing a full on-site investigation and undertaking on-site cleanup actions can be beyond the financial capability of many small businesses. In an effort to lessen the impact on individual businesses, EPA has developed a basinwide groundwater database that will be shared with the RWQCB. This will

ensure that data collected from nearby facilities can be used if needed so that no duplication of effort will occur. In addition, it will allow efforts to focus on developing more cost-effective remedies for groups of facilities rather than individual cleanup actions. These efforts may help to reduce the compliance costs of affected small businesses by making the investigation and cleanup process more efficient.

In summary, I believe EPA has done an excellent job over the past several years in managing the extremely large and complex groundwater contamination problem in the San Gabriel Valley. We have moved forward to mitigate immediate public health concerns with interim actions where necessary at the same time that data collection has been ongoing. A long-term management plan for the site is nearing completion later this year, and we have laid the groundwork for a coordinated cooperative effort with the state to identify and control sources, and ultimately attempt to obtain funding for long-term remedial actions. We will continue to do what we can to further this effort given our limited resources. Ultimately, if enforcement actions do not obtain full funding for remedial actions, a significant commitment of funding, including long-term operation and maintenance, will be necessary at the state and/or local level. Finally, given the magnitude of the contamination problem and the reality of limited Trust Fund resources, it will be appropriate for state and local government to consider further efforts on their part.

EPA welcomes comments and concerns which will help us in our management of the San Gabriel site. I would be happy to take any questions you may have on EPA's management of the site. Thank you.

JOHN ALEXANDER RESEARCH
12040 East Florence Avenue
Santa Fe Springs, Ca. 90670
213-946-2243

June 1, 1989

Congressman Estaban Torres
8819 Whittier Blvd.
Pico Rivera, Ca. 90660

Dear Congressman Torres:

Your invitation to attend the meeting of June 5th is appreciated and I regret that prior committments precludes my attendence. Since I will not be able to take part in the discussion it only seems appropriate that I advance my findings by the pen.

Although I'm not speaking for the Water Pollution Control Federation I am co-author of the forthcoming Water Reuse Manual and as such have conducted extensive surveys relative to the subjects upon which you have become involved. The bottom line is that the very programs which were promulgated with good intention have turned out to be huge deterents.

The EPA and the Superfund programs are examples of good intention gone amock. The bulk of the designated funding is being spent building a "police force" supporting thousands of incompetent, uninformed "policemen" whose only ambition is to protect their pensions. These incompetents make so many blunders it takes an equal number of competent people to rectify the errors. In the meantime industry is left with the impression that all levels of government are bumbling idiots that are making life impossible. No reliable statistics are available but it is certain tens of thousands of businesses have either voluntarily closed their doors, moved abroad or gone bankrupt because of the uncertainity of what comes next from the many levels of unknowlegeable persons carrying limitless authority.

The trickle down effect is almost beyond the scope of imagination. The backbone of our economy, industry, is being eroded because we cannot compete with other countries. Our historically good credit has carried us for many years so we have survived by trading nickels within our own economy but our real debt is climbing at such a rapid rate our house of cards will inevitably tumble.

The contamination problems of San Gabriel Valley are readily solvable if we let the free economy operate without the threat of total annihilation for mere participation. A good example is the threat of a land buyer assumming the liability of cleaning up anything the bureaucracy deems necessary. The failure of the EPA and like kind to comprehend much of the problem has led to shiffing the blame and cost to anyone but theirselves."Protect thy rear" has become the battle cry.

The private sector have already developed the technology to eliminate all but nuclear hazardous waste but those best able to provide the solutions will not step forward because they automatically become liable by merely touching the problem. We must place the responsibility where it belongs not merely on an innocent merely because he has the deepest pocket and is most convenient to prosecute.

Should you believe I'm only blowing smoke I can demonstrate an economically viable solution to virtually every type of waste problem found within your district.

Sincerely,

John A. Alexander

John A. Alexander PhD.

JAA/vh

SOUTH EL MONTE BUSINESS COUNCIL
1925 Central Ave., South El Monte, CA 91733
(818) 448-1414

Partners for Progress

May 30, 1989

Congressman Esteban E. Torres
8819 Whittier Blvd.
Suite 101
Pico Rivera, CA. 90660

Reference: Water Cleanup Hearing

Dear Mr. Torres

We, the individual businessmen involved in the South El Monte Business Council, wish to convey our support for your efforts to resolve the San Gabriel basin water supply cleaned up; however, our feelings of support are mixed with concern and fear. Our fears and concerns are relative to tactics utilized by Water Quality Control Boards in obtaining access to ground water samples.

Individual businessmen have been required to install monitoring wells, sample water, analyze sample water and dispose of waste water at their expense. We feel this approach is totaly unfair. Costs for this type monitoring and sampling should be shouldered by all property owners in San Gabriel Valley.

Costs to several local businessmen have exceeded $100,000.00 per property. These significant costs are forcing businessmen to consider closing their operations and or seek protection under bankruptcy laws. We feel it is certainly not the democratic way to impose this type expenditure on individuals rather than impose small costs on all property owners.

Would appreciate your views relative to this problem.

Will be looking foreward to your hearing on June 5.

Sincerely,

Michael K. Riley
Board of Directors

MKR:km

June 2, 1989

Dear Congressman Torres,

I am a fifth grade teacher working at Geddes Elementary School in Baldwin Park. After receiving your letter notifying me of the meeting on June 5th regarding groundwater contamination, I decided to talk with my students about the problem and your involvement in seeking a solution.

To make a long story short, we had a very lengthy discussion about groundwater contamination and what can be done to solve this serious problem in the San Gabriel Valley. I have also talked with the children about the importance of letting our elected officials know how we feel about issues that concern us. We decided to write you the enclosed letters so that you will know what 10 and 11 year olds in Baldwin Park think about groundwater contamination.

Many of these students are just learning to read and write in English. Their letters are full of spelling and grammatical errors, but their sentiments are from the heart. They believe that you care about what they think and they feel that you can help to solve some of the problems we are facing in the San Gabriel Valley.

The school year is nearly over. I hope that you will be able to respond to these children at Geddes School sometime before we leave for summer vacation on June 21st. I know that you are a busy man. Thank you for taking a few moments to look over our letters. Your interest and concern mean alot to my students and to me.

Sincerely,

Mrs. Randa Schmalfeld

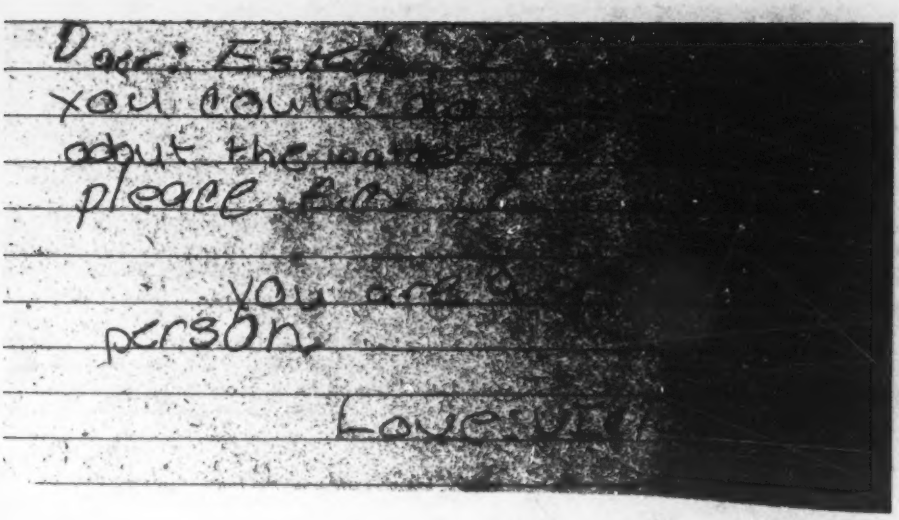
June 1,1989

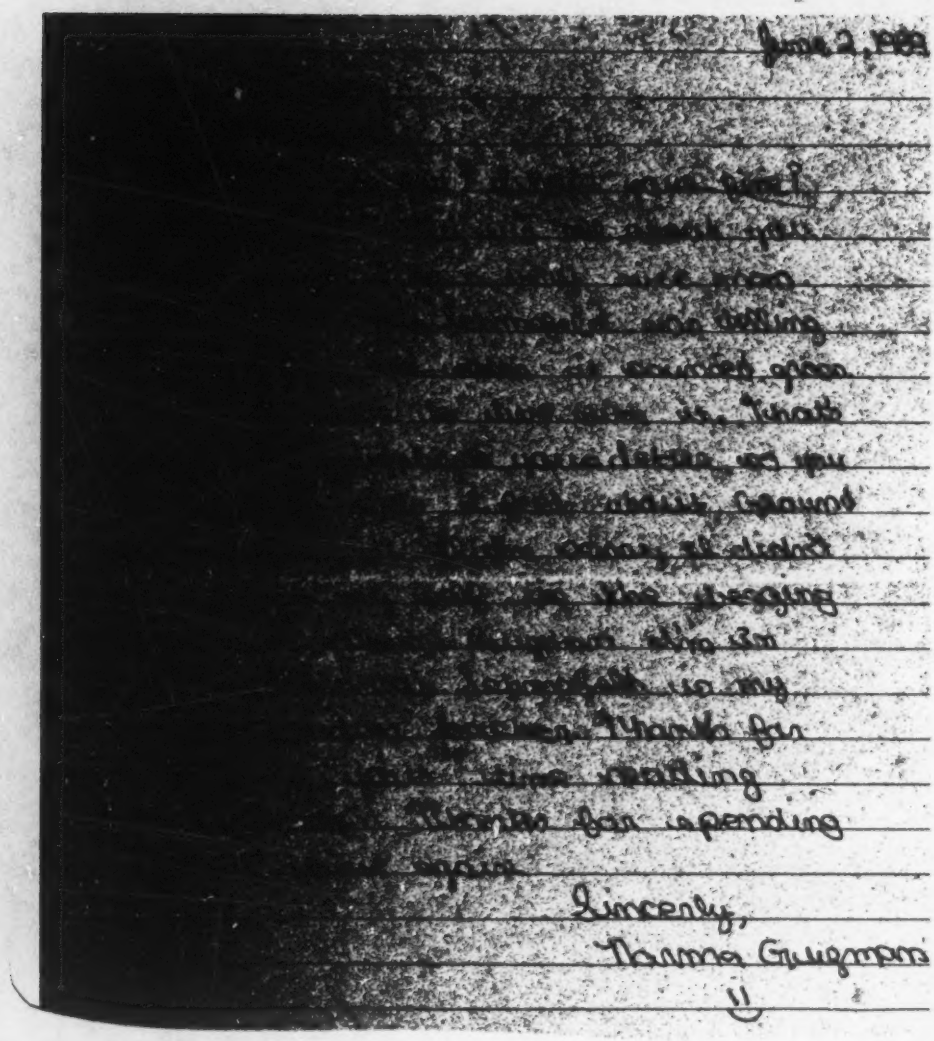
Dear Mr. Torres,

My teacher, Mrs. Schmalfeld, spared some time to tell us about the San Gabriel Valley water problem. From what I've heard, I thought it was really disgusting. I couldn't believe what was happening to such great cities and towns. The companies should stop working underground so the water won't be contaminated.

I just know that you're going to do something about this water problem.You have already done a lot of wonderful things to keep our country clean and safe.Keep up the good work.

Your Friend,
Robert Tagorda
Ernest R. Geddes School


Dear: Esth
you could
about the
please
you are
person.
Love



June 2, 1987

Dear Governor Lewis,

Mrs. Thornfield has been talking to us about the dirty water. I think that the people who cause all the should help to get the water clean again. It makes me mad because our water is dirty. I will tell my mom to go to the meeting

Your friend,
Elizabeth Nieto

Thursday June 1, 1989

Dear Esteban Torres,

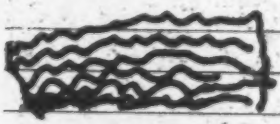
I am mad about the dirty [illegible] I want to have a stop to [illegible] I want you to come and [illegible] the school Geddes School. [illegible] all want to get clean water. [illegible] don't have [illegible] inuft water. We [illegible] can't afford to by fountain wort.

Sincerly
Antonio de Santiago

Dear congressman Torres,

How are your. I am excited to now how come you let factories dumpchemicals in the water. Can you stop them from doing that I fel sad because some fish and I hope you guys could clean up water. Can you please come to our school. Mrs Schmalfeldt is a lot of things nice of you. In case you come our school is tedderand are room is 23.

Water



Thank

Sincerely

Jackie

Dear Mr. Torres:

I have noticed something about our drinking water. While I was about to drink a glass of water I noticed some gray stuff floting in my water. Since then I have been drinking boaded water. If this is happing when I am 10 years old I wonder what the water be like when I am 30 years old. I would not would not like to turn on the faucet and see brown water coming out. So I say please do something about our drinking water, because we would not like to drink brown water.

Thank you,

Donald Rodriguez

Dear Mr. Jones:

I am writing this letter in response to a homework assignment given by my son's History teacher, Mrs. Smallfield from Giddis School. He's writing to ask if there is anything you can do to make our drinking water safer to drink.

He's being taught that our officials in public office can make a difference and that they really care about our community.

Please response so he can have faith that you really care about our future water supply

Sincerely
Mr. Rodriguez

Robert Calandrelli

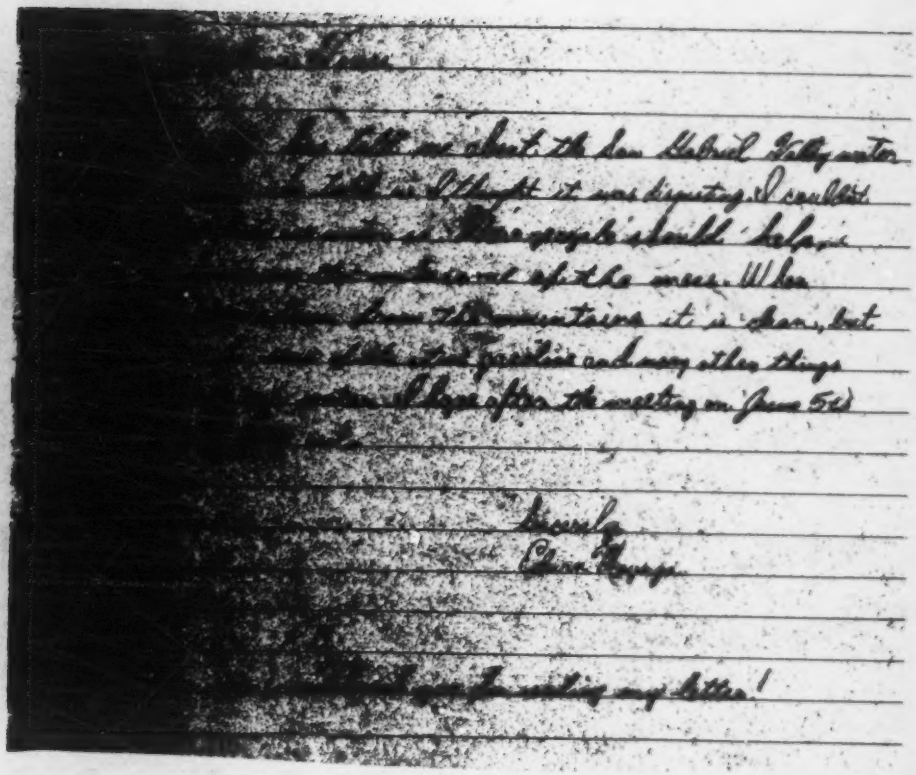
Dear Esteban Torres

My teacher told us about the water. I hop you can do something about it ~~tuberor~~ it gotts wories.
Ihank you for reading my letter.

Dear Esteban Torres,

Hi my name is Jeana Poulist. Mrs. Smallfield has been telling us about this water problem. I think this is a terrible problem. I think some one should be helpful enough to help us with this problem to be and get better. We need to drink a lot of water to. So I will still drink it but not if it is that bad. I really hope a lot of people go on monday. I'll tell my mom to go :.

Sincerely,
Jeana Poulist



Dear Esteban Torres.

How are you I hope fine. I wish that you keep doing your good work. Well talking about other point I am very concern on water pollution. Everyday is getting worse. I send you this letter to see what you could do on that. Well I wish you could do something to the benefit of us.

Sincerely

Rudy. Aguayo

Dear Esteban Torres,

My Social Studies teacher told me that the water is contaminated with oil, and other stuff in it. I think that is gross. Please do something about it. I think when I grow up to be like around 25 or 30 years old the water would be brown or black. I also think that the water is bad for your health. I hope you could do something about it. If you would do something about it I would be delighted. Thanks for reading this letter.

Sincerely,
Chuck Klein

Dear Esteban Torres,

Hi, how are you?
Mrs. Achmafeld our history
teacher told us about you.
I am very concern about
the water we drink. ~~I~~
My ~~~~ parents might come
to the meeting. I am glad
you put up a meeting so
people could stay paying
attion to all this. ~~I~~
I want to thank you for
reading this letter.

Lydia Solis

Dear Esteban. E Jesus.

Im writing you this letter
so you could now about the water
it [illegible] really bad
about the water. It water is get-
ting so dirty. [illegible]
afraid that [illegible]
disease we bought a filter. But its
a little people. What I think you
should do something to stop that. If
nobody stops its going to get worst.
I dont really think what you should
do to stop it. Now im going
to tell you about Gangs. There
alot of Gangs anywhere. could you
do something. I really want that
you could come to [illegible]. I and
Maria [illegible] taking your time
if you could write me [illegible]
Thanks Alot
Sincerely Yoali Torres

Dear Congress Man Torres

Good day Mr. Torres. I am Jose Puga from Geddes school. I don't want to drink polluted water. I want it to be clean. My teacher Mrs. Schmalfeld read us your letter. We want you to clean it if you can't. Make the people that polluted it to clean it if they don't want to clean it make them pay you to clean it. If the refuse shut the business down. That what I feel what should be done.

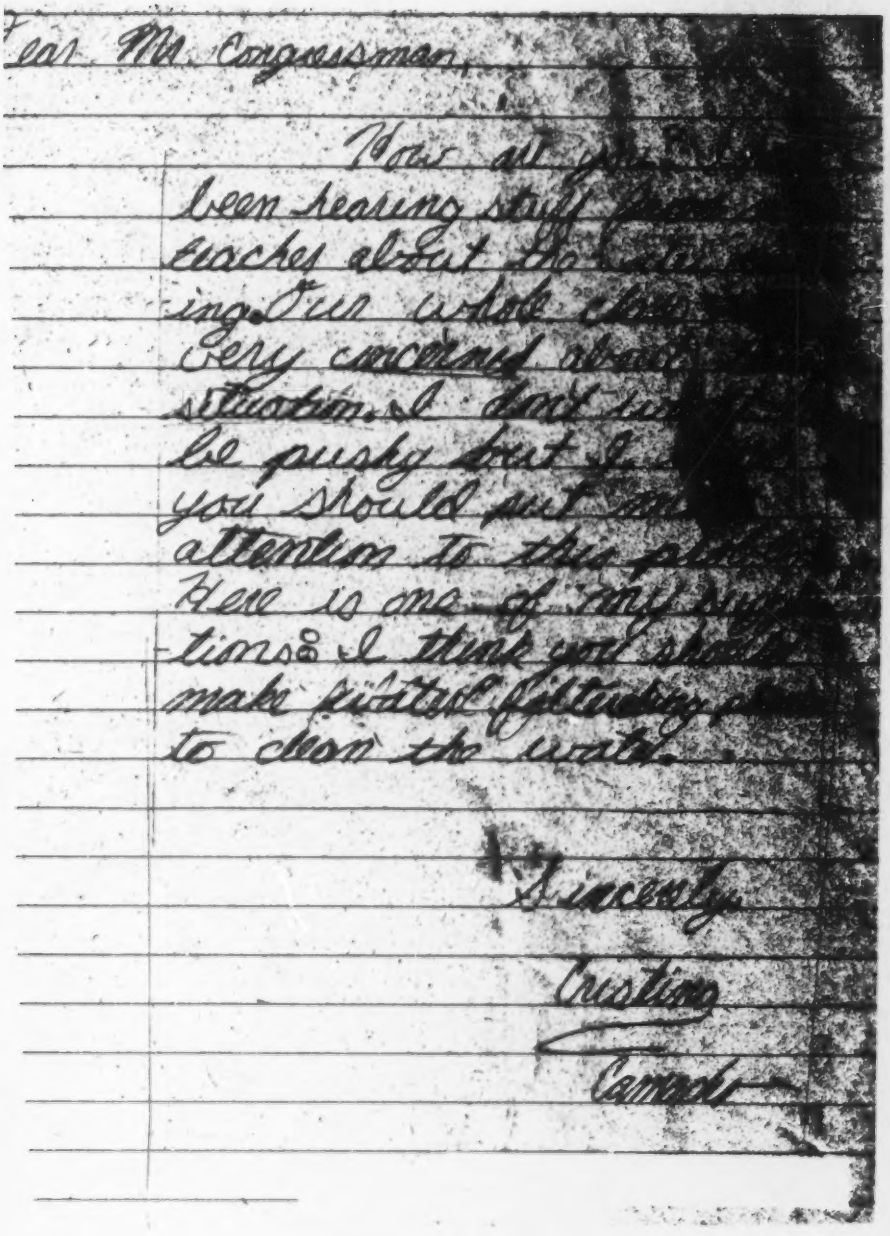
Sincerly,
Jose Puga

105

Dear Steven Torres

My name is Danny Flores from Baldwin Park. I send you this letter for you could clean the water. The water in Baldwin Park is getting really dirty. I am getting worry about the water. If we drink that water we could get cancer. If all the buildings are getting the water dirty close the buildings And plea do something about the gangs.

Sincerly
Danny Flores.



Dear Mr. Congressman,

Now as you [illegible]
been hearing stuff [illegible]
cracks about the [illegible]
ing. Our whole [illegible]
very concerned about [illegible]
situation. I don't [illegible]
be pushy but I [illegible]
you should put [illegible]
attention to this [illegible]
Here is one of my [illegible]
-tions. I think you should
make positive fighting [illegible]
to clean the water.

Sincerely,

Cristina

Cantor

Dear Congress
Im seanding you theise Letter
because I want my watter
to be clean and I thinks
your the oney person no
can help us about our
watter I thinks is a
important job but somebody
a goal to doue it for
our Feacts and our City Mr
Congress Im wishing for you
to Help us.

5#

sinserly

Brenda
Paez

Mr. Turner

I am really concerned about the contamination and the chemicals that are in the underground water. In the future maybe you should have a clean up of the water wells. I am worried about the small businesses that are still putting chemicals in the water. So, can you please do something about it?

Sincerely,
Denise Palermino

Dear Mr. Congressman Torres:

Hello, Sir! I'm Carmelino Ofrecio, one of Mrs. Schmalfield's students on 5th grade in Geddes School in Baldwin Park. Today, she discussed to us the existing problem regarding the water in San Gabriel Valley. I believe that it is a major problem that we all have to face and resolve. I feel so frustrated, mad, and at the same time scared. Scared for the reason that I'm concerned about my health, my family and the rest of the population in San Gabriel Valley. I suggest that factories dump their waste materials in isolated and barren lots or areas underneath the grounds. I also suggest that fisherman and other fishing fanatics be discouraged from using dynamite. I also suggest that additional waste or trash cans be added around beach areas.

So, Mr. Congressman, as a citizen of the United States of America, I am willing to be of help to keep San Gabriel Valley water clean and free from contamination in whatever effort that I can. So, once again Mr. Congressman Torres, I'll appreciate it a lot if you help us do something for this existing problem before it becomes worse and endangers the whole populations' health and well-being. Thanks for your time in reading my letter and concerns.

Respectfully Yours,

Carmelino Ofrecio
5th Grade
Geddes School

Dear Governor Torres,

I am Cecilia Salinas. I wanted to talk to you about our gangs in Baldwin Park. We want you to help us to take all those gangs away. Another thing to help us is to take out the drugs away to. We are having alot of problems in Baldwing Park.

Please help us !!!

Sincerly
Cecilia Salinas

please come to are school !

Dear Congress terres,

Hello! I would like to you about water. It with chemicals. I think clean the water. I should close down the uses the chemicals. You stop it.

6/11/89

Dear: Esteban Torres

Hi. how are you, I am fine. I am a student from Geddes School. I herd that the water is dirty. Well please change the water. Take the dirty water and put clean water. Thank you

Sign: Salvador

Dear, Esteban Torres

I would like you, if you can try to clean the water and gases. I hope you can help Baldwin Park. Cause it is not far. So I think you could help. I wish I can meet you.

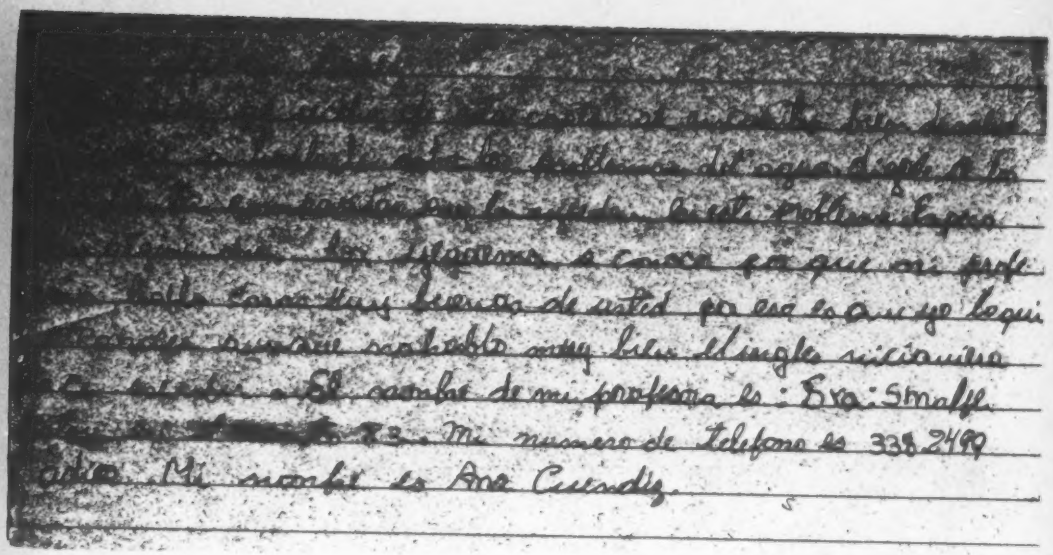
Thank you,
Mark

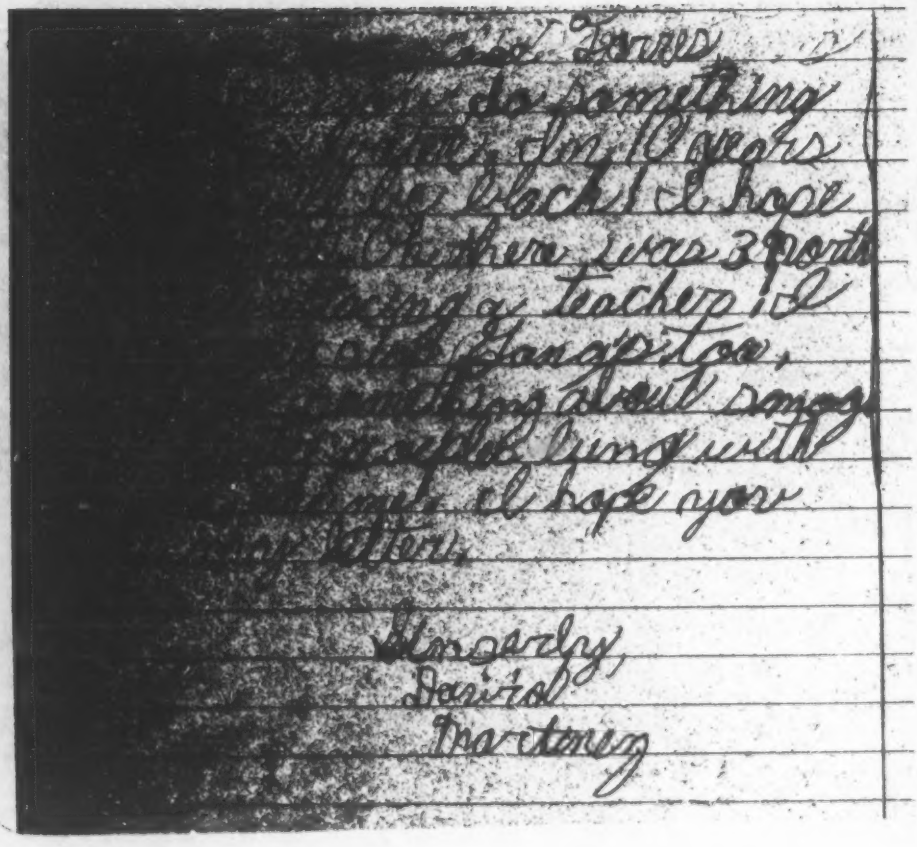
Dear. Esteban Torres.
I wanted to talk to you about a lot of gangs in Baldwin Park. There more and more each day but we can do nothing about it. Well I like you plase to do something about gangs. Monday I saw a lot of Cholos in Terry D. Nolan and they jump the fence. Only to see what they were doing and this boy was walking and they ask him for the hair and then they [illegible] and the other [illegible] that boys but and the coach try to stop them and they start punching the coach and they hurt [illegible] and never came again. [illegible]

Dear Estevan Ruiz

Our teacher has [illegible] I don't want [illegible] the [illegible] school, I will I want you to do something about it. I [illegible] because the [illegible] and the [illegible] and [illegible] to [illegible] it. I even [illegible] about [illegible]. The gangs in my city are [illegible] the school. The [illegible] Can you please [illegible] about it. This is why I want us to stop the things that are bad.

Sincerely, Alex Godoy





Vernal Nation
A-124

Dear Congressmon Torrez,

Hi, I have a problem the problem is water wells are getting bad water the water has chemicals inside. I feel you do something about it because somebody may drink the water and the water has chemicals. I think you do something about the groud water like do more businesses with out contamination contaminating the water wells. I am worried about it. The chemicals in the water. Thank you.

Sincerely,

ESAU ROBLES

Dear Steban Torres

I like wat your doing. I wish you stop the gangs .... You are really nice to all of the people. We all like you to come and visit Gedder school we all invite you. Please try and come we all want to se you. It would be fun to have you visit our school will be nice to have you. We will like you to come and we will take you questions and if you could answer them you will answer the question will tell. So try and come please so you could see wat our class could see you.

By
Esau

Dear Congressman Edwin [illegible]

How are
you feels good. My name
I am 10 years old. In [illegible]
the 16 I am going to be [illegible]
you have alot of problems
concerned about it. Most of
are lead. There is alot of
in the water. Something
done about it. How about
fence around it. There is
problem. This problem
gangs. There is more
in Baldwin Park. We should
make instead of a neighborhood
watch, make everybody in
Park a big watch. I have
and idea. Please write me
My address is 14239 Shady
Baldwin Park.

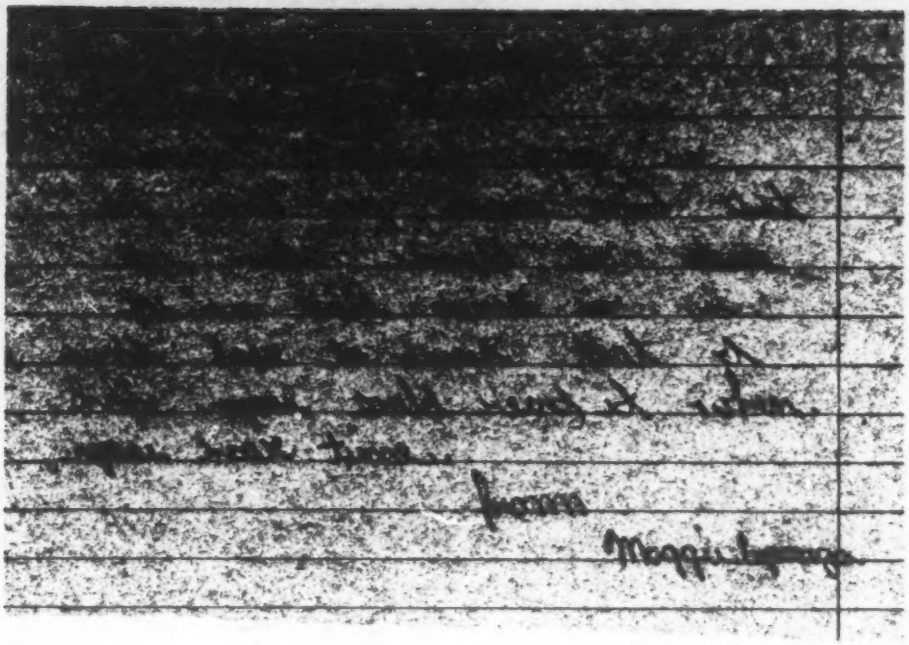
Sincerely,
Jessie [illegible]

Nicolas . Robles

Dear Congressman Torres

My teacher has bin teaching us about you. She is telling us that you help us allot. we all heard about you. You help keep our water clean. Having to clean up our cities and doing. You don't let us worrie about of groundwater you help by cleaning our water wells. We all like that Thanks.

Sincerly
Nicolas Robles



REMARKS BY

ASSEMBLYWOMAN SALLY TANNER

BEFORE THE

HOUSE SUBCOMMITTEE ON ENVIRONMENT AND LABOR

OF THE COMMITTEE ON SMALL BUSINESS

JUNE 5, 1989

Contamination of drinking water sources by industrial chemicals is a widespread problem in Southern California. It is of special concern and importance to the San Gabriel Valley because our underground supplies are our main source of water. Almost every city in the valley relies on the San Gabriel aquifer to supply its municipal water needs. Because of this, I welcome today's hearing on groundwater contamination by Congressman Torres and his Subcommittee on Environment and Labor. The hearing should produce valuable information on our groundwater contamination problem and efforts to clean it up by the EPA and the State Department of Health Services.

This issue is one I've been working on since 1979 when the contamination was first discovered. After initial investigations were begun, I thought that the needed treatment systems would be installed and the sources of the contamination would be located and cleaned up. The process was a slow one and my concern with finding a funding mechanism for cleanup of the groundwater led to my coauthorship of California's Superfund law which provided state funding for toxic site cleanup. I also sought and was successful in having the San Gabriel Valley placed on the state and federal Superfund lists.

Now over nine years after the closure of dozens of drinking water wells in the area, groundwater contamination continues to spread, not many of the sources of the contamination have been found and millions of state and federal dollars have been spent studying the problem.

To provide some sense of the enormity of the Southern California groundwater contamination, consider the following. There are two heavily affected groundwater basins. In addition to the San Gabriel Valley basin, the San Fernando Valley basin is also contaminated. These two groundwater basins provide drinking water for well over two million Southern Californians, from the City of Los Angeles in the west, to many San Gabriel Valley cities to the east. To date, 100 drinking water wells in the two areas have been shut down because they contain chemical contaminants above recommended safe action levels.

Clearly, the San Gabriel/San Fernando groundwater is a tremendously valuable resource to the state. If the contaminants within these two basins continue to spread, it is entirely possible that at some point it will no longer be feasible to use this groundwater for drinking water. When this occurs, the drinking water supply for over two million Southern Californians will have to be replaced with water from other sources. I don't believe this will easily be accomplished given our historical water supply problems along with recent drought conditions.

To further complicate matters, the 1987 discovery of contaminants spreading south from the San Gabriel Valley to the Central Water Basin illuminates the fact that solutions have been eluding us while the problem continues to grow and affect more consumers and water systems.

One would think that the discovery that contamination is spreading outside the San Gabriel basin would cause the federal and state Superfund programs to assign the cleanup of the aquifer a very high priority. However, as we all know, this has not occurred.

In 1983 the California State Department of Health Services received funding from the EPA to begin studying the San Gabriel Valley contamination problem. As time went on the state decided it didn't want to be the lead agency for the sites. Consequently, the funds were returned to EPA and work was delayed for many months.

By 1985, over five years after the problem was discovered, the EPA began the process of determining its strategy on site cleanup. It soon became clear that a massive groundwater contamination site like the San Gabriel Valley would need to be addressed in a significantly different manner than other hazardous waste sites.

Over the years there has been much discussion between state, federal and local agencies as to the most effective management strategy to use in tackling this problem. It appears to me that several points have been agreed upon over the years. These are: 1) A thorough investigation must be undertaken to find the sources of contamination; 2) Once found, sources of contamination must be cleaned up to prevent further contamination from them and enforcement action must be taken against those responsible to help pay for this costly cleanup project; 3) Treatment systems must be installed throughout the contaminated areas to both pump out "hot spots" of contamination and to control the movement of contaminants.

I have sat through numerous meetings and conducted hearings over the years where the points I just listed have been described as the best answer we have on how to deal with this massive problem. As of this date, no enforcement actions have been taken,

and not one treatment system has yet to go on line. Today, over nine years since the discovery there is no "management strategy" for addressing our groundwater contamination problem in this basin.

In 1985 I sought budget augmentations to assist the Los Angeles Regional Water Quality Control Board in addressing leaking underground tanks. The regional board felt that underground storage tanks were a primary source of contamination in the valley but with the lack of funding and staff it would take decades to clean up those tanks that had been identified as leaking. Those funds were blue-penciled and vetoed by the Governor.

Last year, I again requested funding for the regional board which would not only address underground tanks but address leaking landfills, quarries and other dump sites. This funding was approved. I believed that in addition to bringing the state into a clear effort to find contamination sources it would complement the effort of the EPA in devising an overall management scheme. Also, a federal grant from the EPA of over $500,00 has doubled the investigative staff of the Los Angeles Regional Water Quality Control Board and will certainly help in the source investigation. It's just simple logic that we cannot hope to solve this problem until we have at least stopped those sources which continue to contaminate.

In 1988 the EPA announced that the San Gabriel cleanup would probably cost in the area of $800 million and would take dozens of years to accomplish. In light of the fact that lack of action means losing a valuable source of water for millions, I feel that this cost in time and money is one that we may have to bear. However, I don't feel that the residents of the San Gabriel Valley should have to bear the brunt of these costs through increased water rates.

From my first involvement in this issue I have always contended that local residents should not have to pay the price of contamination which I feel is a result of sloppy storage, use and disposal practices of hundreds of businesses which have come and gone in the valley throughout the last several decades.

The economics of this issue and the magnitude of the problem along with the time that is being lost finding solutions are very distressing to me. This inquiry on the part of Congressman Torres is a welcome one. Perhaps new light can be shed on a more cost-effective and successful method of dealing with the cleanup of the San Gabriel Valley Groundwater Basin.

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